

**WHICH APPROACHES CURRENTLY BEING USED BY BRITISH COLUMBIA POLICE
DEPARTMENTS TO COMBAT MARIHUANA GROW OPERATIONS HAVE BEEN THE
MOST EFFECTIVE TO DATE?**

by

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the requirements for the degree of

MASTER OF ARTS

In

LEADERSHIP AND TRAINING

We accept this thesis as conforming
to the required standard

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CHAPTER ONE:
STUDY BACKGROUND

The Problem

Which approaches currently being used by British Columbia police departments to combat marihuana grow operations have been the most effective to date?

The focus of this report is the police response to the high number of marihuana grow operations they are attending in the province of British Columbia. The Organized Crime Agency of British Columbia estimates there are 20,000 grow-ops in the Lower Mainland alone, and at least that or more in the rest of the province (Francis, 2001). According to police statistics, the number of marihuana grow operations has grown significantly over the past five years. In 1996, for example, police in the city of Richmond attended less than fifty cultivation operations. In 2001, they attended 272 (Police Information Retrieval System, 2002). This crime is not unique to Richmond. "Nationwide it has reached epidemic proportions" (Royal Canadian Mounted Police, 2002, para. 2), especially in British Columbia, where in the year 2000, police found 2,808 marihuana grow operations (Plecas, Dandurand, Chin, and Segger, 2002).

According to the Corporal in charge of the Richmond RCMP Drug Section, Leitch, Police can spend a minimum of eight hours investigating a single marihuana grow operation, however, the manpower commitment can easily escalate to more than one-hundred hours depending on the demands of the investigation (S. Leitch, personal communication, August 23, 2002). In the case of a broken water pipe call where a marihuana grow operation is found inside the house and no suspects are located, a minimal amount of time is required. However,

in cases where police are required to engage in surveillance to gather evidence to apply for a search warrant, execute the search warrant, dismantle and seize the equipment and plants, complete the necessary paperwork to request criminal charges, and finally attend court, the time commitment is much higher.

The marihuana cultivation industry represents a growing burden on police resources. The number of grow operations police are attending and the time and resources needed to investigate them has increased significantly. In Richmond, for example, the Marihuana Production Unit, better known as the “Green Team,” includes a group of five police officers whose primary function is the full-time investigation of marihuana grow operations. General duty police officers also investigate grow operations because they are the first response officers answering calls from the community. The complaints of marihuana grow operations can range from break-and-enter attempts to steal plants, to house fires resulting from poorly wired electrical systems.

The average annual salary for an RCMP Constable with more than three years of service is \$62,497 (Royal Canadian Mounted Police, 2003c). Based on a 40-hour week, this works out to an hourly wage of approximately \$30. According to the Corporal in charge of the Richmond Green Team, Wijayakoon, the time commitment for investigation of a typical marihuana grow operation by first-response police officers is 25 – 50 hours, (S. Wijayakoon, personal communication, April 30, 2003) for an average of 37 hours, which means that the cost of investigating one marihuana grow operation is approximately \$1110. This figure is calculated solely on salary costs. According to these figures, the 272 marihuana grow

operations investigated by the Richmond RCMP in 2001 would have cost more than \$301,920, and across the province the 2,808 marihuana grow operations investigated in 2000 would have cost British Columbia police departments a total of \$3,116,880. These figures do not include time spent by specialized units, such as the Organized Crime Agency of British Columbia, doing higher-level investigations into the marihuana growing industry.

For the past several years, the legalization of marihuana has become a topic of much discussion in Canada. The idea of legalizing this drug creates another burden for police as they try to explain the consequences of legalization on our communities. The Canadian Association of Chiefs of Police in conjunction with the RCMP have publicly come forward to oppose this movement (Nicolle, 2002). Although this debate may have serious impacts on the policing of marihuana, it remains outside the scope of this project.

The problems associated with the marihuana growing industry go beyond the cost of providing police services, and cross boundaries into other provinces and countries where the marihuana is distributed. For the purpose of this report, however, the focus will remain on the province of British Columbia. This research will determine which strategies currently being employed to combat marihuana grow operations are the most effective and will attempt to open the doors of communication so that all British Columbia police departments can effectively coordinate their efforts in this area.

The Organization

The Royal Canadian Mounted Police (RCMP) have been operational in Canada since the establishment of the North West Mounted Police in 1873. Celebrating 130 years of policing, the RCMP have a distinguished and unique history of providing municipal, provincial, federal and international services (Royal Canadian Mounted Police, 2003a).

The RCMP have been providing police service in the city of Richmond since 1950 and currently operate there with a complement of 189 police officers. The Officer-in-Charge is Superintendent Ward Clapham. Although the Richmond RCMP follow the strategy and direction of the national organization, Clapham is responsible for setting the pace at the municipal level. Given this mandate, strong leadership is a necessity. Clapham has chosen a “servant” leadership style, based on listening, encouraging and supporting. An important part of his role is providing the opportunity for creativity and ingenuity in problem-solving, and removing roadblocks that impede the membership from successfully completing their work (W. Clapham, personal communication, October 9, 2001).

On his website, Clapham further describes himself as a “first of equals”:

“FIRST...to stand up for my most valuable assets – my men and women.

FIRST... to state the “buck stops with me!”

FIRST... to show sincere sensitivity, great interpersonal skills and compassion in my daily duties with the public and my staff.

FIRST... to listen.

FIRST... to help

and...

FIRST... to give credit to my people when credit is due.”

(Clapham, 2003, p. 3).

Superintendent Clapham’s own unique leadership style must also remain consistent with the style of policing chosen by the Royal Canadian Mounted Police, that of “Community Policing.” One of the most important principles of Community Policing is “providing the most effective police service that will resolve community problems” (Royal Canadian Mounted Police, 2003b, para. 2). How then does the philosophy of Community Policing and Clapham’s servant leadership style combine to provide the foundation for this research project?

From the project’s earliest stages of development, Superintendent Clapham has been supportive, and encouraged a thorough analysis of the strategies used by the Richmond detachment to combat marihuana grow operations. According to an article in *The Police Journal*, “there is a clear need and desire to develop policy based on evidence of what works” (Bucke and Mason, 2002, p. 15). This study will provide Clapham with an informed critical analysis of current procedures, which in turn can assist him in delivering “the most effective police service that will resolve community problems.”

The tremendous support at the detachment level has extended to the provincial level as well. Superintendent Clapham arranged a meeting with the British Columbia Chiefs of Police

to explain the project and to enlist the support of all British Columbia police departments, something a person of constable's rank, such as the researcher, could not have accomplished alone. The whole approach to this project evolved out of the leadership style practiced in Richmond.

CHAPTER TWO:
INFORMATION REVIEW

Literature Review

Three key concepts have been identified as critical issues for understanding the need for this research and the focus of this inquiry:

1. The nature and extent of marihuana grow operations
2. The present police response to marihuana grow operations
3. Problem-Oriented Policing

The Nature and Extent of Marihuana Grow Operations

Given the increase in the number of grow operations police are attending, it is logical to assume that some circumstances in our culture may have changed to promote the demand for marihuana. What exactly has changed? Has the social environment changed? What are the impacts of these changes for British Columbia communities?

Marihuana use has become widely accepted in our culture (Stein, 2002) and is now legal for people with select medical conditions: “On July 31, 2001, the Marijuana Medical Access Regulations took effect throughout Canada, making it the first country to federally recognize marijuana as a medicine” (Demmer, 2001, p. 35). However, those given permission from the government to grow marihuana do not need to notify local police agencies that they are legally setting up marihuana grow operations (Marihuana Medical Access Regulations, 2002). This became evident in a recent case in New Westminster (Hilborn, 2003). For police it means that they could spend hours investigating a marihuana grow operation that has been sanctioned by the federal government, thereby wasting valuable resources and time.

The Cannabis Café located in downtown Vancouver is a prime example of more open marihuana use emerging in our society, and is well known for its sale of a diverse variety of marihuana seeds. Hydroponics stores are also doing booming business and their number in British Columbia has grown disproportionately to the population. Outlets in B.C. per population were five times that of Alberta and ten times that of the State of Washington in 2002 (Kirkpatrick, Hansom, Plecas, and Dandurand, 2002). The BC Hydroponics Store website features a marihuana leaf as a scrollbar icon which indicates that they are aware their merchandise is being used for illegal purposes (BC Hydroponics, 2002). Combine the numerous websites detailing how to grow marihuana properly and the ease of access to hydroponics equipment and you have all you need to set up a thriving marihuana grow operation.

Organized crime groups have taken notice of the profit potential in the illegal marihuana cultivation industry. “According to the Canadian Government, a cannabis grower operating a 50-plant hydroponics operation that harvests three crops of 15-percent (THC) potency can realize an annual profit of CAN\$225,000” (Drug Intelligence Brief, 2000, p. 1). “With a few hundred plants of high quality marihuana, the grower can exceed profits of \$1,000,000” (Royal Canadian Mounted Police, 2002, p. 6). As a result, the majority of marihuana grow operations are now funded by organized crime, such as the Hells Angels Motorcycle Club and Vietnamese organized crime groups (Drug Intelligence Brief, 2000, p. 1).

Although organized crime groups may fund the grow operations, they do not usually tend to the marihuana crops themselves. They find people willing to grow and harvest the entire crop from beginning to end for a fee, or people who owe them for other debts. Therefore, the suspects police may find at a marihuana grow site are often only caretakers of the operation and not the ones who fund it (S. Wijayakoon, personal communication, April 30, 2003).

Since the marihuana cultivation industry offers significant financial rewards, there are people whose job it is to find suitable growing locations. In looking for houses in which to set up an operation, they seek out homeowners who will not interrupt their work or ask too many questions. According to Arsenault, “professional groups of individuals, including real estate agents, specialize in locating ideal rental accommodations for growing operations” (1999, p. 34). Property owners and management companies are sometimes naïve when they rent properties and fail to do necessary reference checks on prospective tenants, as well as fail to regularly check their properties for signs of potential problems once rented. As a result, homeowners often become victims of this crime.

When grow operations are established in residential properties, there is usually a significant amount of damage caused. This damage ranges from holes cut in the floors and ceilings for ventilation hoses, to mould growing on the walls. According to the Optimum West Insurance Company, the average damage to a residential property housing a grow operation is approximately \$10,000, but claims as high as \$60,000 have been processed (A. D’Assumpcao, personal communication, August 23, 2002). Many insurance companies now include a rider stating that they will not cover damage to property caused by a tenant to avoid

the escalating claims for these operations. This can result in a run-down property that the owner cannot afford to have fixed. The property is then re-rented to less desirable tenants and the circle continues until the property is completely uninhabitable. In Vancouver, an analysis of the locations of marihuana grow operations attended and removed by police showed that approximately 14% were later reused at least once for new marihuana grow operation (City of Vancouver, 2002).

Homebuyers will not likely want to buy a home which has previously housed a grow operation. These run-down properties can end up reducing property values in a neighborhood as fewer buyers seek such areas for investment, to the eventual detriment of the neighborhood as a whole.

Not only does the marihuana grow operation industry negatively impact neighborhoods in this way, it also affects every citizen in British Columbia financially. BC Hydro dealt with 729 electricity diversions at locations with marihuana grow operations in 2001, costing the company millions of dollars per year (Simpson, 2002). Most of BC Hydro's profits are returned to its sole shareholder, the provincial government, to fund various programs (BC Hydro, 2002). BC Hydro's security investigator, Shimek, conservatively estimated that in 2002, marihuana grow operations in the province cost the company \$10,000,000 (J. Shimek, personal communication, May 14, 2003). Although a significant percentage of this money was recovered, BC Hydro does ultimately suffer a financial loss, as does the provincial government, and, in the end, the citizens of British Columbia.

Another significant aspect of the British Columbia marihuana boom is that the majority of marihuana grown in the province is sold across the United States border in return for other illicit drugs, such as cocaine and heroin, which can trade pound for pound with marihuana (Arsenault, 1999). Users of marihuana in the United States want to buy Canadian marihuana because of its high potency (Guttormson, 2000). This growing cross-border trade has become a big problem for both Canadian and American law enforcement agencies. According to an article in the *Economist*, seizures of marihuana at the United States and Canadian border have quadrupled between 1996 and 1998 (Canada High, 1998). In 2001, 3,446 kilograms of marihuana were seized at the Blaine border crossing alone (Royal Canadian Mounted Police, 2002). The United States Department of Justice has designated Canada as a source country for marihuana (National Drug Intelligence Center, 2002).

What happens to criminals convicted of cultivating marihuana? Based on a research paper by the University College of the Fraser Valley surveying the cities of Richmond, Surrey and Mission, “the average dollar value for fines and restitution orders were both just over \$2000” (Chin, Dandurand, Plecas, and Segger, 2000, p. 28). Given that growers can make hundreds of thousands of dollars in their trade, a fine of a few thousand dollars is a relatively inexpensive cost. For the 29% sentenced to prison time, the average time incarcerated was only 3.4 months (Chin, Dandurand, Plecas, and Segger, 2000).

Another area of concern is the increase in crimes related to marihuana grow operations. Break-and-enters at residential properties housing marihuana cultivation operations, assaults

between those involved in the growing process, and violent crimes associated with the lucrative trade, all rise. In Richmond for example, on any given night, there are 20 to 30 people working in various groups that specifically target residences housing marihuana grow operations (Hansen, 2003). Their purpose is to steal the marihuana from these operations and reap the profits without having to spend the time and money required to grow the plants themselves.

These groups of thieves are usually heavily armed and willing to do battle with anyone they encounter inside the operation (Hansen, 2003). Police worry that one day these “rippers” will make a mistake and enter a house where there is no marihuana grow operation, and an innocent person will get injured or killed.

With the combination of growing acceptance of marihuana use, minor penalties to growers upon conviction, easily accessible rental properties and equipment, high demand for the product, and significant financial rewards, the benefits of cultivating marihuana seem to far outweigh the deterrents.

The problem of marihuana grow-ops spills over into the lives of the general population in other ways, as individuals may become witnesses or victims of these offences. “The RCMP estimates there were 20 homicides last year (2000) in British Columbia involving the marijuana trade” (Francis, 2001, p. 4). Although Roth refers to all drugs in general, he does include marihuana use when he says using drugs increases the potential for violence: “People who are stoned, high, and wasted are likely to commit crimes of all kinds, including violent

crimes such as assault, robbery, rape, and murder” (Roth, 1994, p. 4). Recently, over a twelve month period in Richmond, all four of the homicides were related to the marihuana grow operation industry (S. Wijayakoon, personal communication, April 30, 2003).

The Police Response to Marihuana Grow Operations

Police departments use different techniques to combat the problem of marihuana grow operations. The strategies can be broken down into three basic categories:

1. Criminal Enforcement
2. Education
3. Municipal By-laws

Criminal Enforcement.

The primary response to marihuana grow operations by all police departments is criminal enforcement. The Controlled Drugs and Substances Act states that marihuana production is a criminal offence and the police are expected to ensure that those who do not adhere to Canadian law face consequences. Therefore, the standard procedure is for police to remove all marihuana cultivation equipment from an illegal operation and, when possible, recommend criminal charges against those believed to be responsible.

The patrol or general duty officer is the first responder to calls for service from the public. In many jurisdictions, these officers complete the full investigation of a marihuana grow

operation. However, some departments have created specific enforcement teams, often known as “Green Teams,” which are dedicated to the full-time investigation of marihuana production operations.

Education.

“The majority of marihuana grow operations are located in rental properties” (Huus, 2000, para.10). The goal of education programs is to provide property management companies and homeowners with the tools required to protect their properties and prevent marihuana grow operations from being established therein.

Municipal By-laws.

Although municipal by-laws in various jurisdictions vary in details, the ultimate goal with regard to marihuana cultivation is to deter future marihuana grow operations at a property and ensure that it is safe to re-rent. Many by-laws impose a fine to cover the cost of inspecting a property to ensure it is safe to live in, whereas other municipalities have by-laws to recover the policing costs associated with dismantling marihuana grow operations.

Problem Oriented Policing

In 1979, Herman Goldstein wrote an article that described a new concept for improving police services, using a “problem-oriented approach” (Goldstein, 1979, p. 236). Goldstein defined this approach as “a new way of thinking about all aspects of policing from

administration to operations to personnel” (Eisenberg and Glasscock, 2002, p. 1). He called for greater attention to be given to the analysis of problems and the means used to resolve them. “It calls for the police to understand their work in a new light, to recognize that what they are called upon to do is to address a wide range of problems that threaten the safety and security of communities” (Scott, 2000, p. 2). Today police departments around the world have adopted this philosophy.

Goldstein’s research help lay the foundation for a problem-solving model known as “SARA”:

S – Scanning (of environment)

A – Analysis (of problem)

R – Response (to problem)

A – Assessment (of response)

(Glensor and Peak, 1998).

The Royal Canadian Mounted Police have devised a similar problem-solving model known as “CAPRA.” CAPRA is an operational model involving an approach to internal management which delivers quality police service to citizens and communities. The model reflects principles of community policing and modern management. It was designed to assist RCMP personnel in anticipating and preventing problems, and to solving the problems that do arise. In other words, application of the CAPRA model requires an understanding of clients’ needs, demands and expectations, and a partnership approach to problem-solving and continuous improvement. It is also a framework for continuous learning which demands the

integration of the results of self-assessments, of communities, of clients and of partners in changing work practices to ensure continuous improvement in client service delivery (Royal Canadian Mounted Police, 2003d).

CAPRA is an acronym that represents the following:

C = Client (identification)

A = Acquiring and Analyzing Information (about the problem)

P = Partnerships (with those involved and those that can assist)

R = Response (to the problem)

A = Assessment and Continuous Improvement (of police performance)

(Royal Canadian Mounted Police, 2003d).

According to Scott, “by most accounts from those who observe problem-oriented policing carefully, problem analysis remains the aspect of the concept most in need of improvement” (2000, p. 59). Full analysis of the marihuana grow operation problem requires that the researcher thoroughly evaluate the problem and seek solutions that are not necessarily traditional. This research attempts to seek answers from places where others have not looked.

In the spirit of CAPRA, an analysis of the nature and extent of the marihuana grow operation problem will be conducted and the current police responses to the problem will be reviewed to determine how police responses affect the number of marihuana grow operations in our communities. The inclusion of outside partners will be detailed and recommendations for possible alternatives to our current response model will be outlined.

CHAPTER THREE:
RESEARCH METHODOLOGY

Research Methods

The purpose of this study was two-fold. First, it attempts to determine which programs currently being used by British Columbia police departments to combat marihuana grow operations are the most effective. Second, it is being used to test a hypothesis about whether the landlords who own rental properties being used for marihuana grow operations have been illegally claiming the British Columbia Homeowner Grant.

This inquiry will reflect the principles of both evaluation and action research. Action research occurs “where practitioners work to solve practical problems, and work to improve their own actions or the operations of the institution in which they are working” (Parsons, 2002, p. 1). Evaluation research “aims to assess the effectiveness of different actions in meeting needs or solving problems” (Punch, 1998, p. 143).

To follow the tenets of action and evaluation research, the methodology for this study includes:

- the use of an Advisory Board
- a questionnaire (Appendix A) accompanied by a letter of introduction from the Advisory Board (Appendix B)
- interviews

The data used for this report will also include research completed for the RCMP by the University College of the Fraser Valley (UCFV).

Researchers from the UCFV individually reviewed police files throughout the province from 1997–2000 to ensure the accuracy of the data. In preparing this current report, limited time and resources did not allow such detailed data to be collected for the years since 2000, but the data collected was compared to that gathered by UCFV to validate its accuracy. Unfortunately, statistics from the Vancouver Police Department were not included, as they could not be validated for the present study.

The statistical and interview data will be evaluated to determine whether the police responses to marihuana grow operations have been effective, and which approaches are the most effective. When evaluation of the data is complete, the research will have the opportunity to be action-based as the Advisory Board and police departments throughout British Columbia can use it to work together developing future strategies.

Advisory Board

The involvement of individuals who will be affected by a process of change makes them more likely to be supportive of that process (Kouzes and Posner, 1995). This research inquiry has the potential to affect all British Columbia police departments and therefore it was necessary to enlist their support prior to beginning the project. An Advisory Board was created to oversee the project and to encourage all police departments to participate. The Advisory Board includes the following key stakeholders:

- Project Sponsor – Superintendent Ward Clapham, Richmond RCMP

- Assistant Commissioner Gary Forbes, RCMP E Division Headquarters
- Inspector Axel Hovbrender, Vancouver Police Department
- Project Supervisor, Dr. Darryl Plecas

Questionnaire

“Questionnaires involve written responses to a document prepared ahead of time. In essence, they are a systematic collection of data” (Kirby and McKenna, 1989, p. 74). In this research project, a questionnaire was distributed to the 145 police departments in British Columbia. The questionnaire allowed for the consistent collection of data, within specified parameters, thereby providing the opportunity to make a comparative analysis of the information collected from different police departments. It asked twenty different questions about the specific numbers of marihuana grow operations that had come to the attention of local police over a period of three years and also requested details about measures undertaken by local police departments to combat the problem.

Interviews

“Intensive interviews seek to discover information about the experiences of the interviewee” (Kirby and McKenna, 1989, p. 68). The purpose of interviews in this research project was to gather information not found in print from police officers with extensive experience and knowledge of the marihuana grow operation industry. These police officers specialize in this field and are considered by their peers to be experts on the subject.

An interview was also conducted with a representative of the Ministry for Provincial Revenue, which administers the province's "Homeowner Grant Program." Homeowners are issued an annual statement detailing the property taxes they are expected to pay based on the value of their homes. Should a homeowner live in their own property, they can apply for a Homeowner Grant, which discounts their tax. If they rent their property to someone else, the homeowner is ineligible for the grant and must pay the tax in full. The maximum penalty for illegally claiming the homeowner grant is \$10,000 (Ministry of Provincial Revenue, 2003b). Part of this research is to determine whether owners of rented properties found to contain marihuana grow operations are illegally discounting their property taxes by claiming the homeowner grant.

Study Conduct

This research project began with the creation of the Advisory Board. At the Board's first meeting on October 31, 2002, a letter of support was drafted and signed by Inspector Axel Hovbrender and Assistant Commissioner Gary Bass to be sent to the police community outlining the direction of the research project and encouraging their support. The Board also decided to hold briefings with the senior executives of British Columbia police departments to enlist their support and ensure that when their departments were contacted to provide information, they would know the purpose of the inquiry.

On November 20, 2002, a meeting was held with the Regional Operational Police Management Committee, which is made up of senior police officers who oversee the first response officers at their departments. A second meeting was arranged with the British Columbia Chiefs of Police on November 21, 2002. At both meetings, the researcher presented a brief overview of the project and the expectations for their police departments.

During the first week of December 2002, the questionnaires, accompanied by the Advisory Board's letter of support, were mailed out to the Officers in Charge of each of the 145 British Columbia police departments, followed by a reminder letter in the first week of January 2003. A second reminder letter was mailed at the end of January. By mid-February 2003, 107 of the 145 questionnaires were returned, providing a response rate of 74%. As previously explained, although the Vancouver Police Department was one of the 107 Departments to respond, their data was not included in this study as it could not be validated for the present study.

The British Columbia Ministry of Provincial Revenue was contacted in April 2003 for information regarding claiming of the Homeowner Grant. This information was received throughout the month of May.

To conclude the project, a meeting was held with the Project Sponsor and then the Advisory Board to notify them of the findings and provide them with an executive summary. The Ministry of Provincial Revenue was also notified of the research results. A presentation to the British Columbia Chiefs of Police will follow in September 2003.

Data Analysis

The *Statistical Package for the Social Sciences* (SPSS) was used to code and analyze the data from the questionnaires. Putting the data into SPSS format enhanced its potential for future use and built upon SPSS-formatted data collected in 2002 for the Royal Canadian Mounted Police by researchers from the University College of the Fraser Valley.

Ethical Considerations

Much of the data gathered for this inquiry is statistical information from police files and not personal information collected from individual participants. Therefore, approval for participation in the project came from senior police personnel. For the Royal Canadian Mounted Police, Assistant Commissioner Gary Bass permitted the use of RCMP files for data collection and analysis. For individual municipal police forces, Inspector Axel Hovbrender began the process of obtaining support through the letter distributed with his signature, followed by presentations by the researcher at the Regional Operational Police Management Committee and British Columbia Association of Chiefs of Police meetings.

Given the sensitive nature of police files, dissemination of this report will occur after senior police officials have reviewed it. For the purpose of providing confidentiality to the Ministry of Provincial Revenue, no specific case details were reported. The Ministry of Provincial Revenue was also able to review the report prior to its release.

CHAPTER FOUR:
RESEARCH STUDY RESULTS

Study Findings and Conclusions

Marihuana Grow Operations in British Columbia

Most marihuana grow operations come to the attention of the police through public complaints, while others are discovered without assistance from the public. Of the grow operations coming to police attention, police files reflect the number that they had the time to investigate and “found” – a procedural term meaning to attend and confirm. In such cases, criminal charges can be laid. Criminal charges are not laid in all cases for various reasons, such as that it is not in the public interest to pursue charges, not enough evidence exists, or there are no suspects to charge.

TABLE 1

Average number of marihuana grow operations coming to the attention of police, investigated and founded grow operations, and charge rate in British Columbia Police Departments 2000-2002.

Year	2000	2001	2002
Average number of marihuana grow operations coming to police attention	4802	7540	6815
Marihuana grow operations investigated and founded	2808	4060	3625
Percent of marihuana grow operations leading to charges	45%	39%	36%

According to the data gathered, the number of marihuana grow operations in the province of British Columbia has stabilized over the past three years. Given that 2002 was the first year to show a slight decrease, it is too early to conclude that this trend will continue.

Enforcement Teams

Of the 106 police departments providing data, eight reported that they used full-time enforcement teams to deal with marihuana grow operations. Six of these teams have been implemented since 2001, all in the larger municipalities. These teams were formed in response to the growing number of marihuana grow operations. Investigations completed by such enforcement teams led to criminal charges in 80% of cases.

TABLE 2

Average numbers of founded marihuana grow operations in departments with enforcement teams vs. departments without enforcement teams

	2001	2002	Change
Average number of founded marihuana grow operations in departments with enforcement teams	102.63	105.50	3% increase
In departments without enforcement teams	22.17	18.91	15% decrease

The data seems to indicate that enforcement teams alone are not causing a decline in the number of marihuana grow operations. It is obvious that the departments with the enforcement teams are also those that have a much larger number of marihuana grow operations in their jurisdictions.

Education Programs

Education and prevention programs have been established in 19 of the 106 departments providing data. These programs by their very nature require time to make an impact. As a result, the information below must be considered an early finding. Only subsequent reviews will determine their full validity.

TABLE 3

Average numbers of founded marihuana grow operations in departments with education/prevention programs vs. departments without education/prevention programs

	2001	2002	Change
Average number of founded marihuana grow operations in departments with education/prevention programs	106.16	91.55	13.8% decrease
In departments without education/prevention programs	10.36	9.11	12.1% decrease

This data indicates that municipalities with education and prevention programs noticed a slightly greater drop in marihuana grow operations than those without. However, the difference is not significant.

Municipal By-Laws

Departments with municipal by-laws were also those that used at least one of the other two measures, enforcement teams or education programs, to combat marihuana grow operations. The by-law itself was not used alone.

TABLE 4

Average numbers of founded marihuana grow operations in Departments with a municipal by-law and one other measure vs. Departments without a municipal by-law and/or no other programs

	2001	2002	Change
Average number of founded marihuana grow operations in departments with by-law and other programs	193.67	167.33	13.7% decrease
In departments without by-law and other programs	18.35	17.70	7.3% decrease

Those Detachments using a by-law in combination with one other program, whether it be education or enforcement, noticed a more significant drop in the average number of marihuana grow operations than did those municipalities without a by-law, whether they were using other programs or not.

It is very important to note that the majority of programs being used in police departments to combat marihuana grow operations have been implemented since 2001 in response to the significant increase in marihuana grow operations.

British Columbia Homeowner Grant

The Ministry of Provincial Revenue reviewed 534 addresses that housed residential marihuana grow operations throughout six British Columbia municipalities.

TABLE 5

Homeowner Grant claims throughout six British Columbia municipalities in 2000

Municipality	# of homes with founded grow operations	# of homeowners with founded grow operations claiming grant	# of homeowners with founded grow operations illegally claiming grant	% of homeowner grant claimants with founded grow operations illegally claiming grant
New Westminster	39	3	3	100%
Richmond	103	14	11	79%
Surrey	188	34	24	71%
Nanaimo	86	11	7	64%
Chilliwack	52	24	11	46%
Langley	66	14	4	29%
Total	534	100	60	60%

On average, 60% of homeowners who claimed the Homeowner Grant and were involved in the marihuana production industry filed fraudulent claims. Of the total number of marihuana grow operation files police investigated, 11.2% were fraudulent. Therefore, the average number of illegal Homeowner Grant claims per municipality is 11.2%. It is evident in analyzing the data that in the majority of the cases of founded residential marihuana grow operations where the Homeowner Grant is claimed, the claim is fraudulent (i.e. the homeowner does not in fact live at the property), and a fine could be imposed.

Several marihuana grow operation experts conservatively estimate that the average marihuana grow operation investigation requires 25-50 manpower hours. Using an average of 37 hours, at a manpower cost of \$30 per hour, the average cost of investigating one marihuana grow operation is approximately \$1110. In the year 2000, police found 2,808 marihuana grow operations in the province of British Columbia (Plecas, Dandurand, Chin, and Segger, 2002). According to these figures, investigating these cost British Columbia police departments \$3,116,880. In cases of founded marihuana grow operations where homeowners are caught illegally, wantonly and recklessly claiming the grant, if the courts had imposed the maximum Homeowner Grant fines, the province would have recovered a significant portion of the costs.

Study Recommendations

Although police traditionally have been expected to pursue marihuana grow operation enforcement measures through the Controlled Drugs and Substances Act, it is clear that the current system of dealing with marihuana grow operations in British Columbia is not having a significant impact. Therefore, it is necessary that police agencies consider alternative methods, outside the scope of the Controlled Drugs and Substances Act and our Judicial System, in conjunction with traditional enforcement measures. The two primary recommendations that were generated as a result of this study are just such alternative methods.

Recommendation One

It is evident through the data analysis that Municipal By-Laws have a positive impact on reducing on the number of marihuana grow operations in municipalities. As a result, it is important that police continue to work with municipal governments to establish these by-laws. Once established, these by-laws should be publicized through the media to heighten awareness, and then enforced regularly.

Recommendation Two

It should become routine during marihuana grow operation investigations in residential properties that police officers check with their local City Hall to determine whether a Homeowner Grant is being claimed for that address. If the Homeowner Grant is being claimed and the owner of the home is a suspect in the investigation, the very claiming of the grant provides further evidence of ownership of the grow operation. If the homeowner is not a suspect in the investigation, then the homeowner has still committed fraud against the municipality by illegally claiming the grant while not living at the property, and a fine of up to \$10,000 could be imposed. The sharing of information between the municipality and the police can thereby prove beneficial for both parties.

CHAPTER FIVE:
RESEARCH IMPLICATIONS

Organizational Implementation

Recommendation One

INTRODUCE AND ENFORCE A MUNICIPAL BY-LAW DEALING WITH MARIHUANA GROW OPERATIONS

As previously explained, municipal by-laws that deal with marihuana grow operations vary in their design and structure but serve the same purpose – to decrease the number of marihuana grow operations and deter future marihuana grow operations from being established. It is necessary that police and municipal governments work together to create new by-laws or restructure old ones in a way that meet the goals of both agencies. Bringing these organizations together to work on common goals provides an opportunity for positive learning and necessary change.

Recommendation Two

POLICE OFFICERS SHOULD ROUTINELY CHECK FOR CLAIMING OF THE HOMEOWNER GRANT DURING MARIHUANA GROW OPERATION INVESTIGATIONS

This recommendation also requires information sharing between the municipal government and the police. Although the Homeowner Grant Program ultimately belongs to the provincial government, the municipalities administer it. Therefore, should the police wish to gather information on Homeowner Grant claims, they must speak with a representative from the municipality or the provincial government. Again, the sharing of information

between these agencies builds the potential for positive information sharing and trust-building. This recommendation will also enforce greater compliance with the Homeowner Grant Program regulations and, as a result, generate more revenue for the province of British Columbia.

Recommendation Conclusions

Both recommendations create the opportunity for overall reductions in the number of marihuana grow operations in British Columbia. This is a goal desired by all the agencies concerned, not simply the police. If these recommendations are not implemented, it is likely that British Columbia municipalities will continue to face increased marihuana grow operations and an associated rise in crimes in their neighborhoods.

According to the city of Richmond manager of customer service, Stevens, a safety by-law was created to protect citizens from living in unsafe properties (A. Stevens, personal communication, July 21, 2003). When police officers in Richmond attend a home containing a marihuana grow operation, the police notify the city of Richmond building inspections department via a fax check sheet. This sheet requests information about the circumstances of police attendance and details about the damage to the dwelling. The building inspections department attends the property after the police have completed their investigation and post a notice on the front door that the property is not to be occupied until inspected by the city of Richmond.

In many cases of marihuana grow operations, because of the illegal manipulation of the electrical wiring system, BC Hydro is contacted to make the house safe for police and other potential occupants by disconnecting hydro to the home. The city of Richmond has made arrangements with BC Hydro that the hydro not be reconnected until the owner of the property has made the upgrades required to make the property safe.

With the information learned from this study, the city of Richmond has agreed to review homeowner grant claims when police attend a residential marihuana grow operation and fax the check sheet to the building inspections department. An amendment has been made to the check sheet by the researcher to ensure that it becomes routine during investigations of marihuana grow operations, that the homeowner grant status be reviewed (see Appendix C). Should it be determined that a homeowner may be illegally claiming the grant, the city of Richmond will forward the appropriate information to the Ministry of Provincial Revenue for further investigation (A. Stevens, personal communication, July 21, 2003).

Police agencies, the municipalities and the Ministry of Provincial Revenue stand to gain from implementation of these recommendations. All have the ability to help prove crimes against the other since the police can help the government prove the fraudulent Homeowner Grant Claims and the government can help the police prove ownership of marihuana grow operations. At a time when knowledge is a critical factor for positive change, not sharing this information represents a significant lost opportunity.

Future Research

This research inquiry has identified which programs currently being used by British Columbia police departments to combat marihuana grow operations are most effective. It has also described an additional avenue of investigation for police – the punitive enforcement of Homeowner Grants regulations. It also lays the groundwork for further research and development.

This study built upon research completed for the Royal Canadian Mounted Police by the University College of the Fraser Valley (UCFV) in 2000. The statistics gathered by the UCFV were analyzed but with a different perspective which helped identify new investigational tools to assist police in their battle against marihuana. The total combined data pool collected by both the UCFV study and this research project is so large and contains so many variables that it provides fertile ground for developing completely new studies. For example, suspect and homeowner names can be crosschecked across municipalities to determine if one person owns multiple properties housing marihuana grow operations.

Many of the programs instituted by British Columbia police departments in this area are very new and so it is difficult to measure their effectiveness at this point. The impact of some programs, such as education and prevention, is particularly difficult to assess in the short term, as their effectiveness may only become more apparent after more time has passed. A future study looking at these programs may provide more concrete conclusions.

The increase in marihuana grow operations in Canada used to be concentrated in British Columbia, but this is no longer the case. Ontario and Quebec, for example, have recently experienced a serious increase in marihuana grow operations (Royal Canadian Mounted Police, 2002, para. 2). What circumstances exist in these provinces to cause such an increase? How are they similar to British Columbia? By examining all three provinces more closely, broadly applicable solutions to the problem may become more evident.

CHAPTER SIX:
LESSONS LEARNED

Research Project Lessons Learned

From the outset, this project has enjoyed tremendous support and encouragement from the police community, and encountered very little resistance in gathering relevant information for analysis. There were however, two serious challenges that did emerge during the course of this inquiry.

The first challenge the researcher felt was in the collection of the data. Given the time constraints for this project, the researcher was unable to attend each British Columbia police department to individually review all of the marihuana grow operation files. Therefore, it was necessary to distribute a questionnaire to each department requesting they supply the researcher with the data necessary to analyze programs being used by British Columbia police departments to combat marihuana grow operations. The majority of these questionnaires were completed by police officers. To take the necessary time to individually review each file in their departments, the police departments and the communities would have suffered by removing a police officer from active investigative duty. As a result, the data had to be collected from the police department information retrieval systems. Each crime is scored with an associated code and those codes were used to count the files. Although the information is, for the most part, very reliable, these codes and the information are not always completely accurate or completely up to date.

The second challenge facing this project and the police in general, is how to truly eliminate the problem of marihuana grow operations. This problem is not just a police problem but a community, provincial, federal and international problem. To assume that the research of one person could resolve all the issues in a few short months would not be realistic. The illegal marihuana production industry has been growing in British Columbia and throughout the country for many years. Hundreds of thousands of dollars have been spent by numerous police agencies to study this problem and determine how to deal with it. To date, no fully effective solutions have been found. Ideas have been generated that could assist in the reduction of marihuana grow operations but those ideas require the participation of citizens and communities, as well as provincial and federal bodies of government. At present, the recommendations made public through previous research have not been fully acted upon.

Although none of the solutions thus far attempted have had a serious impact on reducing the number of marihuana grow operations, it is essential that police agencies carry on working toward resolution of this problem. "What drives action is the intensity of the problem" (Fritz, 1989, p. 35). There is little doubt that the marihuana production problem in British Columbia is intense. This research inquiry seeks to provide additional investigational tools to assist with the overall reduction of a crime that impacts every citizen in British Columbia.

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Appendix A

Support Letter sent out with Questionnaire

October 31st, 2002

Your file Votre référence

Our file Notre référence

To: All British Columbia Police Departments

Re: Study of marihuana Grow Operations

The R.C.M. Police recently completed a study on marihuana grow operations with the view of comparing sentencing practices here versus those in other jurisdictions. The study also looked at various policing aspects of investigating these operations. It was coordinated by the Drug Enforcement Branch in this Division, and conducted by a team from the University College of the Fraser Valley (UCFV). This study provided valuable data about the nature and extent of marihuana grow operations in British Columbia for the period of 1997-2000.

To further build upon the work already completed, a member of the R.C.M.P. will be contacting all British Columbia Police Departments to gather statistical data regarding grow operations for 2001/2002 and will also require information about any current programs that Departments are using to combat marihuana grow operations such as enforcement teams, education programs or by-laws. The goal of this study is to determine what programs currently being used to combat marihuana grow operations are the most effective.

It is anticipated the data gathering will take place over the next four months with a final report due in May 2003. You will receive feedback on your Department area, as well as a comparative study with neighboring Departments.

Constable Lorna Dicks of the Richmond R.C.M.P. will coordinate the study. She can be contacted at. Please contact her if
you have any questions.

Your support for this endeavour would be appreciated.

Gary Bass, Assistant Commissioner
Royal Canadian Mounted Police
"E" Division
Officer in Charge, Criminal Operations

Axel Hovbrender, Inspector
Vancouver Police Department
Criminal Intelligence Section

Appendix B
Questionnaire

Royal Canadian Mounted Police **Gendarmerie royale du Canada**

STUDY OF MARIHUANA GROW OPERATIONS

1. How many searches were completed for marihuana grow operations by your entire detachment/department? _____

2. Does your detachment/department have a marihuana grow operation enforcement team?
Yes No

3. If yes, when was the team implemented? _____
(yy/mm/dd)

4. How many members does the team have? _____

5. How many combined hours were the members assigned to the green team? (Please take into account secondments to other sections, medical leave, etc. Each person is required to work 2080 hours per year. Of those 2080 hours per member, please calculate the total numbers of hours worked by the section).

2000 _____
2001 _____
2002 _____

6. How many searches were completed by the enforcement team?

2000 _____
2001 _____
2002 _____

7. How many of the enforcement team searches were founded?

2000 _____
2001 _____
2002 _____

8. How many of the non-enforcement team searches were founded?

2000 _____
2001 _____
2002 _____

9. How many of the enforcement team searches led to charges?

2000 _____
2001 _____
2002 _____

Appendix C

Fax to Municipality

Royal Canadian Mounted Police / Gendarmerie royale du Canada

Security Classification/Designation / Classification/désignation sécuritaire

Date

FACSIMILE / MESSAGE TRANSMITTAL
ENVOI D'UN MESSAGE PAR TELECOPIEUR

Unclassified

Ref. No. - N° de réf.

TO City of Richmond
À Building Inspections Department
ATTN **ROUTE TO BUILDING APPROVALS & TAXES**
 Allan Clark
FROM
DE Richmond RCMP

SENDER - EXPÉDITEUR

RECIPIENT - DÉSTINATAIRE

Fax. No - N° de

Telephone No. - N° de

Fax. No. - N° de télécopieur

Telephone No. - N° de téléphone

COMMENTS
 COMMENTAIRES

Total number of pages including this one
 Nombre total de pages, y compris celle-ci



1

MARIJUANA GROW HOUSE - INSPECTION REQUEST

Police located a grow operation on: _____ (Date) _____ (Address)
 At: _____

As result of: Search Warrant Voluntary Search Vacant Premise Other Call for Service

Owner Notified: Yes No Action required by Inspection Dept: Yes No Info Only

Occupants:

The building appears to have been modified in the following manner:

Electrical System: Altered Disconnected Gas Service: Altered Disconnected

Walls removed, damaged or structural changes within residence

Comments:

Investigating Member:

Police File #:

To Be Completed By Building Inspections Department & Tax Department

Inspected by:

Date:

Homeowner Grant Claimed? Yes No

If no, do not complete next question.

Does homeowner name match occupant?

Yes No

If no, please refer information to Home Owner Grant Administration Branch for further follow up.