

Medical marijuana in Oregon: State program prone to exploitation, abuse, report says

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Marijuana use, cultivation and black market trafficking remain “pervasive” in Oregon, a trend fostered by Mexican drug cartels, Asian gangs and the state’s own medical marijuana program, a new law enforcement report concludes.

The findings were part of a “threat assessment” by Oregon HIDTA, a federally funded agency that manages law enforcement resources in high-intensity drug trafficking areas of the state. The report paints a grim portrait of drug trafficking and abuse in Oregon, particularly when it comes to heroin.

On marijuana, the conclusions echo complaints law enforcement officials have raised over the prevalence and black market availability of the drug, particularly cannabis grown under Oregon’s medical marijuana program.

Law enforcement officials have long argued that the drug’s increased potency and widespread cultivation by organized crime and medical marijuana cardholders lead to abuse and illicit trafficking.

The report comes as marijuana legalization advocates in the state and nationally push to get an initiative on the fall ballot.

Nearly all police surveyed this year reported a “high level of marijuana” available in their area “with more than one-third” reporting that the drug was more available this year compared to 2013.

Use of marijuana by Oregon residents is greater when compared with other states; the latest national survey found that in 2011 and 2012, Oregon ranked fourth in the country for cannabis use by people 12 and older, with most consumers between 18 and 25. (The top three: Rhode Island, Alaska and Vermont.)

Among the report’s findings:

- The popularity of hash oil is on the rise. Butane, a flammable solvent, is often used to make the potent marijuana concentrate. The report cites a recent investigation by The Oregonian into butane hash oil, which identified nine major BHO-related explosions since 2011, including one that killed a Portland man.

- “Liquid THC production - - and incidence of butane hash oil lab explosions -- is expected to rise as the market expands for marijuana edibles and demand increases for product that has a strong psychoactive effect,” the report notes.
- Oregon State Police data shows that between 2008 and 2013, toxicology tests detected marijuana more than any other drug, not including alcohol, in impaired driving investigations. The rate of detection increased 16 percent between 2010 and 2013, the report found.
- The report also notes that “accidental exposure” to marijuana is an ongoing concern. An analysis of U.S. poison center data shows the rate of “unintentional marijuana exposure” in children younger than 9 more than tripled between 2005 and 2011 in states that passed marijuana decriminalization legislation before 2005.
- The director of the Oregon Poison Center told The Oregonian on Monday that the center receives between two and 15 calls a year related to children accidentally ingesting marijuana. Sandy Giffin, the director, said it's hard to determine whether there's been an increase in marijuana-related calls since the numbers are small.
- While Mexico remains a chief foreign source of heroin, meth and marijuana, Oregon’s medical marijuana program’s generous plant and possession limits make it a source for black market marijuana. People designated as caregivers are allowed to care for an unlimited number of medical marijuana patients, each allowed up to 11/2 pounds of marijuana. Caregivers with many patients may “exploit the program by claiming they are growing for legitimate OMMP patients,” according to the report.
- The Oregon Medical Marijuana Program includes nearly 60,000 patients; 30,000 people hold caregiver cards as well.
- “The large number of cardholders, coupled with the high volume of plants cultivated, the difficulties associated with investigating compliance, and the attraction of selling surplus amounts on the black market for substantial profit and little risk has resulted in incidents of non-compliance in the HIDTA region and statewide,” the report states.
- (The Oregonian examined the black market trafficking of medical marijuana in this 2012 investigation.)
- Grow sites also remain potential targets for theft and violence, the report says, relying on anecdotal evidence including a 2012 fatal shooting during a Cottage Grove home invasion robbery. In 2010, detectives execute a search warrant on a Douglas County grow site encountered booby traps that entailed shotgun shells “rigged to explode at chest level if a trip line was triggered.”
- Marijuana’s potency also is on the rise, HIDTA reports. The U.S. Drug Enforcement Administration analysis found the average THC in seized samples reached 15.1 percent – the highest level recorded since the agency began testing in 1976.
- Though the state seized fewer outdoor marijuana plants in 2012 and 2012, Mexican cartel operations “remain Oregon’s primary production and trafficking threat.” Law enforcement officials suspect cartel-operated outdoor marijuana production will shift to areas of the state with fewer police resources.
- “Budgetary shortfalls will continue to impact the ability of law enforcement officers to effectively locate and eradicate outdoor grow sites due to prioritization of resources, displacement of staff, and diminished provision of flight time,” the authors note.

- When it comes to indoor marijuana cultivation, Oregon continues to be one of the top 10 states for indoor seizures, ranking fourth in the nation in 2012. About half of the total indoor plants seized last year in Oregon were linked to non-compliant medical marijuana grow sites.

The authors speculate that the medical marijuana program will be exploited to “encourage larger indoor marijuana grow operations,” which will “contribute to the volume of marijuana trafficking through and out of the state.”