

ILLINOIS STATE POLICE DIRECTIVE OPS-056, ERADICATION OF CULTIVATED AND WILD MARIJUANA

RESCINDS: OPS-056, 2011-008, revised 01-28-2011.	REVISED: 05-15-2015 2015-045
RELATED DOCUMENTS: OPS-201, Operation Cash Crop Administrative Procedures Manual	RELATED CALEA STANDARDS: None

I. POLICY

The Illinois State Police (ISP) will:

- I.A. Establish guidelines for the management and administration of a Marijuana Eradication Program.
- I.B. Take appropriate enforcement action as prescribed by statute to eliminate illicit cultivated marijuana.
- I.C. Cooperate with and assist federal, state, and local agencies in inter- and intrastate eradication efforts.
- I.D. Collect, compile, and process data concerning cultivated marijuana grown by a person, group, collective or organization, regardless of charitable or profit status, which is not regulated or licensed by the Illinois Department of Agriculture (IDAG) or its approved designee.
- I.E. Reduce the availability of marijuana to drug dealers and other individuals by eradicating illicitly cultivated marijuana and investigating and arresting individuals responsible for cultivating and distributing marijuana which is in violation of state law.
- I.F. Solicit public assistance/information concerning the location of illicit marijuana growing plots.

II. AUTHORITY

- II.A. 505 ILCS 100/1, the "Illinois Noxious Weed Law"
- II.B. 720 ILCS 550/2, the "Cannabis Control Act"
- II.C. 430 ILCS 130/1, the "Compassionate Use of Medical Cannabis Pilot Program"

III. RESPONSIBILITIES

- III.A. The Colonel of the Division of Operations will:
 - III.A.1. Appoint a Statewide Cash Crop Coordinator (SCCC) to:
 - III.A.1.a. Receive and forward complaints referred to the Department.
 - III.A.1.b. Coordinate resources needed to support investigative activities initiated pursuant to implementation of this program.
 - III.A.2. Exercise overall administrative responsibility for the program.
- III.B. The Zone Commander will:
 - III.B.1. Appoint a Zone Cash Crop Coordinator (ZCCC) who will receive and process complaints received from other law enforcement personnel or the public.
 - III.B.2. Appoint a Field Cash Crop Coordinator (FCCC) in each investigation office who will coordinate cash crop investigations and ensure administrative procedures are followed.
 - III.B.3. Maintain appropriate records and files in accordance with recommended procedures.
- III.C. The SCCC will:
 - III.C.1. Provide follow-up, guidance, and support for investigative activities referred to ZCCC.

- III.C.2. Prepare grant applications and secure grant funding through the Department of Justice, Domestic Cannabis Eradication/Suppression Program (DCE/SP). Exercise overall administrative responsibility for grant funding.
- III.C.3. Coordinate requests from the ZCCC or Zone Commander for non-ISP aerial support or specialized resources which require Division of Operation oversight or approvals (e.g. National Guard Rapid Assessment and Initial Detection (RAID), helicopter/aircraft flights, or Civil Air Patrol missions).
- III.C.4. Receive requests from the Zones for specialized resources (e.g. aerial thermal imager and/or spotlight, hand held thermal imaging, etc.) and obtain/coordinate necessary resource support when those resources are not available to the ZCCC.
- III.C.5. Provide capability for issuance of lead numbers.
- III.C.6. Refer any leads received to the appropriate ZCCC.
- III.C.7. Exercise overall administrative responsibility for the DCE/SP including allocating overtime, procuring specialized equipment, conducting training classes, developing administrative program procedures, completing required Drug Enforcement Administration (DEA) monthly reports, and maintaining appropriate records and files.
- III.C.8. Provide cash crop lead and arrest reports, on an annual or semi-annual basis, to the ZCCC to review and verify.
- III.D. The ZCCC (or authorized designee) will:
 - III.D.1. Receive, process, and investigate complaints received from the public or other law enforcement personnel.
 - III.D.2. With the approval of the Zone Commander, or designee, initiate investigative activities.
 - III.D.3. Acquaint zone, task force (TF), and metropolitan enforcement group (MEG) officers, and other groups, associations or agencies with the program objectives and Operation Cash Crop procedures as directed by the Zone Commander.
 - III.D.4. Obtain a Cash Crop repository case number from the Investigative On-Line system. The repository number will be used for the duration of the current calendar year when circumstances do not warrant obtaining an investigative case number (e.g. eradication of wild marijuana, or there are no suspects and the decision is made to eradicate cultivated marijuana without further investigation).
 - III.D.5. Contact the SCCC to obtain Operation Cash Crop lead numbers for all indoor marijuana grow operations and outdoor cultivated marijuana seizures, regardless of whether any DCE/SP funding is expended.
 - III.D.6. Complete an Operation Cash Crop Focus Data Input Form (ISP 2-543) for all lead numbers issued. For a closed lead, forward a copy of the input form to the SCCC no later than five days after the lead has been closed. The SCCC's office will enter the leads in the Focus Cash Crop database.
 - III.D.7. Review and verify cash crop reports received from the SCCC.
 - III.D.8. Schedule, monitor, and perform overtime-reporting activities.
 - III.D.8.a. Monitor the overtime allocations for ISP and TF/MEG officers. Submit requests to the SCCC for additional allocations when appropriate. Notify the SCCC 45 days prior to expiration of overtime of any anticipated unexpended overtime hours or funds.

- III.D.8.b. Ensure Operation Cash Crop Overtime Reporting forms, ISP 5-506 and ISP 5-506a (both forms are available in the ISP Document Library at <http://maphome/documentlibrary/>), are completed and mailed to the SCCC by the required due dates. (See the Operation Cash Crop Administrative Procedures Manual for instructions on completing forms and reporting due dates. The manual is available from the SCCC.)
- III.D.8.c. Ensure the forms for requesting reimbursement for overtime worked by local police officers assigned to TFs or MEGs are completed and forwarded to the SCCC by the 15th day of the following month the overtime was worked.

III.D.8.c.1) The forms are:

- III.D.8.c.1)a) Request for Reimbursement From the Illinois State Police, form ISP 2-542
- III.D.8.c.1)b) Cash Crop Recapitulation Form, ISP 2-541

NOTE: Both of these forms are available in the ISP Document Library

III.D.8.c.2) Instructions for completion of forms are in the Operation Cash Crop Administrative Procedures Manual.

- III.D.8.d. Ensure overtime is distributed and recorded in accordance with the respective collective bargaining agreement.
 - III.D.8.e. Ensure DCE/SP funds are only expended on activities related to the investigation or eradication of cultivated marijuana. DCE/SP overtime funds cannot be expended for suppression of wild marijuana.
- III.D.9. Complete the National Institute of Drug Abuse - University of Mississippi Cannabis Potency Monitoring Project, form ISP 2-544 (this form is available in the ISP Document Library at <http://maphome/documentlibrary/>), and submit preferably three samples of cultivated marijuana (that do not need to be held as evidence) as soon as possible to the University of Mississippi for analysis. Forward a copy of the analysis results to the SCCC. (See the Operation Cash Crop Administrative Procedures Manual.)
- III.D.10. Track the assignment of Cash Crop clothing and equipment.
- III.D.10.a. The Quartermaster will issue to ISP officers items costing less than \$100 purchased with DCE/SP grant funds and document the issuance on the Uniform Inventory System (UIS).
 - III.D.10.b. The Quartermaster will assign gas cans, machetes, clothing for non-ISP TF/MEG officers, and other team equipment purchased with DCE/SP grant funds to the Cash Crop Coordinator or the ZCCC.
 - III.D.10.c. The coordinator to whom equipment is issued will have overall responsibility for the team equipment and must develop procedures for tracking the receipt and assignment of the equipment.
 - III.D.10.d. When an officer responsible for any of the unit's Cash Crop equipment transfers to another position, the Illinois State Police Cash Crop Equipment Transfer Receipt form must be completed and sent to the Quartermaster to reassign the equipment to another officer. (See the Operation Cash Crop Administrative Procedures Manual.)
- III.D.11. Coordinate requests for ISP aerial support and specialized resources (assigned or maintained within the ISP Region) and provide guidance and direction to zone employees engaged in executing program objectives. If ISP Air Operations is not available, requests for aerial support should be made through the SCCC.

- III.E. Officers who are issued items through the Quartermaster will, within 14 days of being reassigned to a position where he/she will no longer be involved in illicit domestic cannabis investigations, contact the Quartermaster to obtain an updated inventory report of assigned items and return the items purchased with DCE/SP grant funds to the Quartermaster.

IV. PROCEDURES

IV.A. Any ISP employee having information or receiving any complaints/reports concerning the existence of illicitly cultivated marijuana will relay the information to the appropriate ZCCC, regardless of the number of cultivated marijuana plants.

IV.B. If a report of wild marijuana is received, the Zone Commander, or designee, may direct zone employees to attempt to confirm the reported sighting, and attempt to identify the owner of the property upon which it is found.

IV.C. Wild marijuana may be destroyed using one of the following methods:

NOTE: If a wild marijuana field is located, DCE/SP funding cannot be used to eradicate the field; an alternate funding source must be located.

IV.C.1. Letter of Notification

IV.C.1.a. When wild marijuana plots on private property are confirmed, the ZCCC is to prepare a letter and mail it (certified, return receipt) to the property owner(s) apprising them of their responsibility to, and methods for, eradicating the wild marijuana found on their land.

IV.C.1.b. The ZCCC will provide a copy of the letter to the respective ISP District, the Illinois Department of Agriculture, the SCCC, and the respective county/municipal law enforcement agencies.

IV.C.1.c. If the landowner fails to comply, the ZCCC will notify the Department of Agriculture to initiate follow-up action. (See Operation Cash Crop, Procedures Manual for sample of letter.)

IV.C.2. Chop and Burn

Officers will:

IV.C.2.a. Cut, preferably early in the growing season before plants produce seeds, wild cannabis plants with mowers, weed cutters, machetes, or other cutting devices.

IV.C.2.b. Move cut plants to an isolated or open area and burn as permitted by local law.

IV.C.2.c. Extinguish the fire completely before leaving the scene.

IV.C.2.d. Have fire extinguishers and shovels on hand.

IV.C.3. Herbicide

ISP officers will not apply, or oversee the application of, any herbicide to marijuana plants.

IV.D. Destruction of Cultivated Cannabis

IV.D.1. If there are no suspects or further investigation is determined to be unfeasible, officers will cut and move the cannabis plants to a secured/controlled location and burn them as outlined in IV.C.2.

IV.D.2. If the case is being prosecuted:

IV.D.2.a. The case agent will contact the prosecuting attorney for direction on how to handle the evidence.

IV.D.2.b. Photographs or video tapes must be taken of outdoor or indoor cultivated cannabis plants and the growing operation.

IV.D.3. Samples (preferably three) of cultivated marijuana will be retained and sent to the University of Mississippi for analysis.

IV.D.4. When cultivated cannabis is located and destroyed, two officers will count the plants. The officers will ensure they agree on the number of plants before the cannabis plants are destroyed.

NOTE: Officers will follow evidence-handling procedures (See directive OPS-201, "Evidence – Collecting and Packaging") when seizing cannabis as evidence, otherwise all cultivated marijuana will be destroyed.

IV.E. Computer Aided Dispatch (CAD) Procedures

See Operation Cash Crop Procedures Manual for CAD radio procedures.

| Indicates new or revised items.

-End of Directive-