

MARIJUANA INITIATIVE OVERSIGHT COMMITTEE
200 W BROADWAY
MISSOULA MT 59802
(406) 880-4678

September 14th, 2007

Mayor John Engen
435 Ryman Street
Missoula, MT 59802

CC: Missoula City Council
CC: Missoula Chief of Police
CC: Missoula City Attorney

Dear Mayor Engen:

I chair the volunteer committee responsible for overseeing implementation of county initiative MCSO-2006-02, sometimes referred to as the “marijuana initiative,” which passed in November 2006 and recommends that county officials treat adult marijuana crimes as their lowest priority. The initiative requires that the committee report back to the voters concerning marijuana enforcement activities in Missoula County, and that is the reason that I am making this request on behalf of the committee.

Pursuant to Article II, Section 9 of the Montana Constitution, Title 2, Chapter 6 and Title 44, Chapter 5 of the Montana Code, I am requesting the following information from the appropriate city officials:

- Number of **warnings** of adults for marijuana misdemeanors in 2006
- Number of **warnings** of adults for marijuana misdemeanors in 2007
- Number of **citations** of adults for marijuana misdemeanors in 2006
- Number of **citations** of adults for marijuana misdemeanors in 2007
- Number of **arrests** of adults for marijuana misdemeanors in 2006
- Number of **arrests** of adults for marijuana misdemeanors in 2007
- Number of **prosecutions** of adults for marijuana misdemeanors in 2006
- Number of **prosecutions** of adults for marijuana misdemeanors in 2007
- Number of **warnings** of adults for marijuana felonies in 2006
- Number of **warnings** of adults for marijuana felonies in 2007
- Number of **arrests** of adults for marijuana felonies in 2006
- Number of **arrests** of adults for marijuana felonies in 2007
- Number of **prosecutions** of adults for marijuana felonies in 2006
- Number of **prosecutions** of adults for marijuana felonies in 2007
- Estimated average staff time spent per marijuana warning
- Estimated average staff time spent per marijuana citation
- Estimated average staff time spent per marijuana arrest
- Estimated average staff time spent per marijuana prosecution
- Estimated average staff time spent per marijuana post-conviction management (probation,

- supervised release, etc)
- Average city law enforcement wage
- Average city prosecution & judiciary wage
- Average post-conviction wage (probation, supervised release, etc)
- Other information to help the committee understand the city resources devoted to adult marijuana activities in Missoula, including but not limited to:
 - Categorization based on whether the marijuana warning/citation/arrest/prosecution was incidental to other crimes or solely for the marijuana activity
 - Categorization based on demographics of citizens charged with marijuana crimes
 - Categorization based on whether the enforcement activity was conducted at the behest of or in coordination with county, state, or federal agencies.
 - Categorization based on whether property was seized.

I understand and agree that documents which might violate an individual's privacy must be redacted or omitted. Electronic copies are preferred, but I agree to pay copying costs associated with complying with this request. If copying costs are to exceed \$100, please contact me before proceeding. I can arrange for the copies to be picked up; otherwise I am willing to pay for postage if the total for copies and postage are within the \$100 limit.

Thank you very much for taking the time to review my request. Time is of the essence, as the committee is required to deliver a report to the county commissioners and the voters on or around November 7th, 2007. I would prefer to receive the requested information as it becomes available, and in any event I would like as much information as possible prior to October 1st.

Feel free to contact me with any questions at 880-4678 or via email at: j@johnmasterson.com

Sincerely,

The members of the MCSO-2006-02 Community Oversight Committee:

John Masterson, Chair
Steve Zellmer, Vice-Chair
Angela Goodhope, Secretary
Michael Bailey, Esq.
Donna Hamilton
John Kneeder
Steve Lohning
Craig Shannon, Esq.
Charles Tiernan