

FISHING EXPEDITIONS: LAW ENFORCEMENT USE OF THE OREGON MEDICAL MARIJUANA PROGRAM REGISTRY

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Complaints of LEO Abuse of Private OMMP Registry Database Information

- OMMA specifies that law enforcement requests may be made “only as necessary to verify” cardholder status and law enforcement “may not release or use the information for any purpose other than verification” [ORS 475.331(2b) & (3)]
- Washington County published maps of OMMP investigations. Sgt. Thompson says “we are going against what the state *advises*.”
- Polk County, Washington County, Douglas County, Jackson County
- Held v. Hanlin – Sheriff Hanlin “testified that his office checks the database for every CHL applicant “[t]o determine whether or not they use [a] controlled substance, specifically marijuana.” Respondent's use of the database for that purpose was not authorized by ORS 475.331.”
- “Compliance checks,” traffic stops, etc – anecdotal stories

Analyzing the Data from OMMP vs. LEDS and Drug Crime Statistics

- LEDS requests to the OMMP database represent *only after-hours and weekend requests* that are tracked electronically. There are “thousands” of hand-written logs of requests during business hours not reflected in these charts.
- To get a sense of medical marijuana use in the state, we’ll show where the greatest concentrations of patients live relative to the overall county-by-county population.
- We’ll look at LEDS OMMP requests vs. the overall patient population per county.
- We’ll then compare LEDS OMMP requests vs. the total number of drug crimes (not just marijuana) reported to the Oregon State Police (2008 figures, latest data available).
- Counties with LEDS OMMP requests greatly exceeding the total number of patients, total number of drug crimes, and occurring in counties of low patient proportions in their population could indicate abuse of the registry access by law enforcement.

NORML OREGON PATIENT POPULATION

30+ Patients
per 1,000 residents

20+ Patients
per 1,000 residents

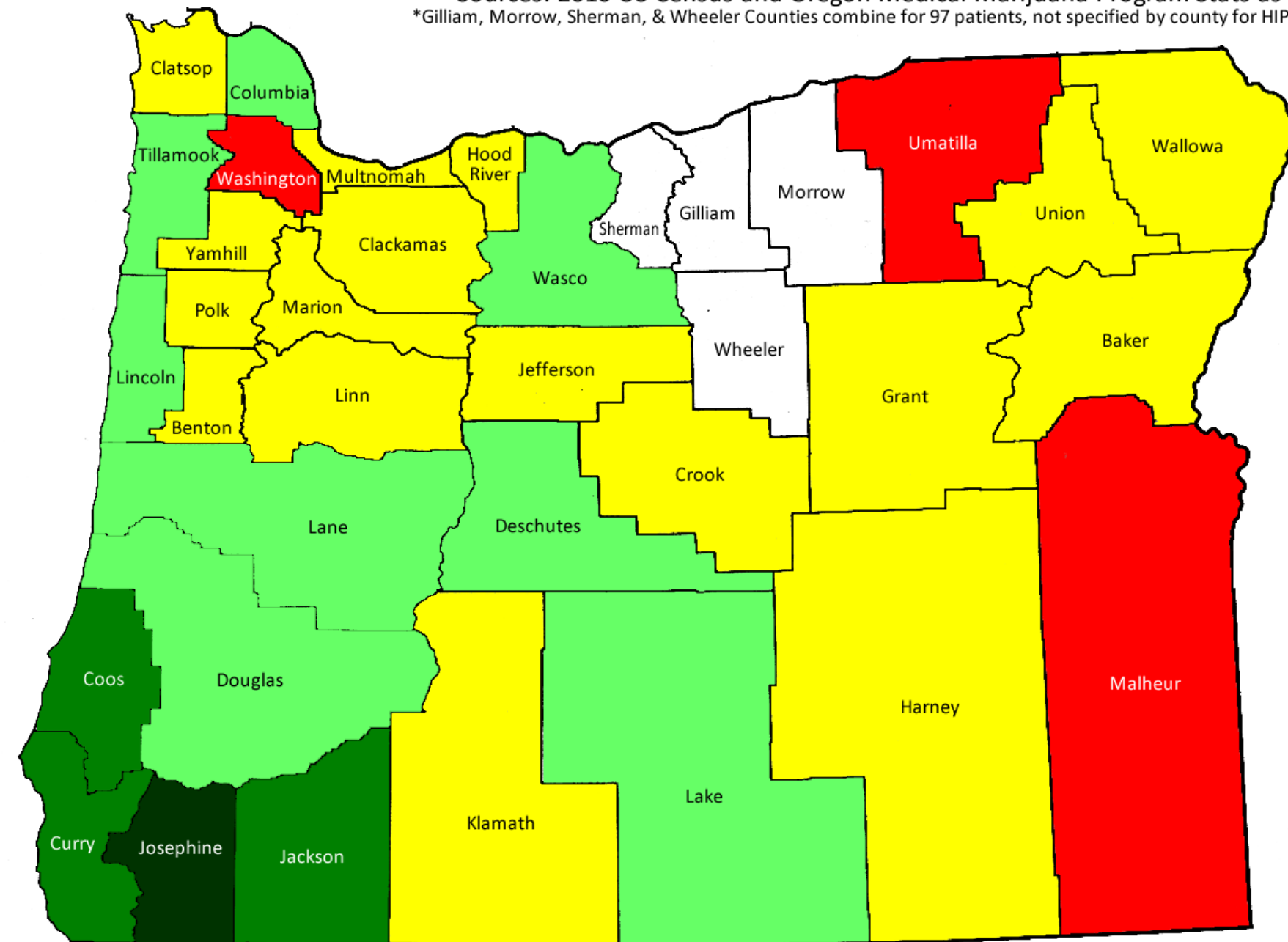
10+ Patients
per 1,000 residents

<10 Patients
per 1,000 residents

Lowest Three
Patients per 1,000 residents

Sources: 2010 US Census and Oregon Medical Marijuana Program Stats as of 4/1/2011

*Gilliam, Morrow, Sherman, & Wheeler Counties combine for 97 patients, not specified by county for HIPAA privacy concerns.



County	2010 Census	OMMP Patients	Patients per 1000
Josephine	82,713	3,136	37.91
Jackson	203,206	5,136	25.27
Curry	22,364	506	22.63
Coos	63,043	1,310	20.78
Lincoln	46,034	677	14.71
Douglas	107,667	1,581	14.68
Wasco	25,213	347	13.76
Columbia	49,351	678	13.74
Tillamook	25,250	332	13.15
Lane	351,715	4,324	12.29
Lake	7,895	95	12.03
Klamath	66,380	780	11.75
Deschutes	157,733	1,732	10.98
Clatsop	37,039	401	10.83
Grant	7,445	78	10.48
Wallowa	7,008	68	9.70
Hood River	22,346	213	9.53
Crook	20,978	194	9.25
Multnomah	735,334	6,796	9.24
Linn	116,672	1,019	8.73
Harney	7,422	60	8.08
Clackamas	375,992	2,835	7.54
Union	25,748	194	7.53
Jefferson	21,720	161	7.41
Baker	16,134	119	7.38
Yamhill	99,193	700	7.06
Benton	85,579	524	6.12
Polk	75,403	460	6.10
Marion	315,335	1,872	5.94
Washington	529,710	2,735	5.16
Malheur	31,313	147	4.69
Umatilla	75,889	333	4.39
Gilliam	1,871		-
Morrow	11,173		-
Sherman	1,765		-
Wheeler	1,441		-
Total	3,831,074	39,640	10.35

Gilliam, Morrow, Sherman, & Wheeler Counties each have less than 50 patients. Numbers are withheld for HIPAA privacy concerns. Total of 97 in those four counties added to statewide total.

The greatest concentration of OMMP patients are in the southwest counties, where 2%-3.7% of the population are cardholders. The metro Portland & Salem areas have less than 1% patient populations, with Washington County among the three least-populated with patients.

NORML OREGON LEDS PER PATIENT

30+ Patients
per 1,000 residents

20+ Patients
per 1,000 residents

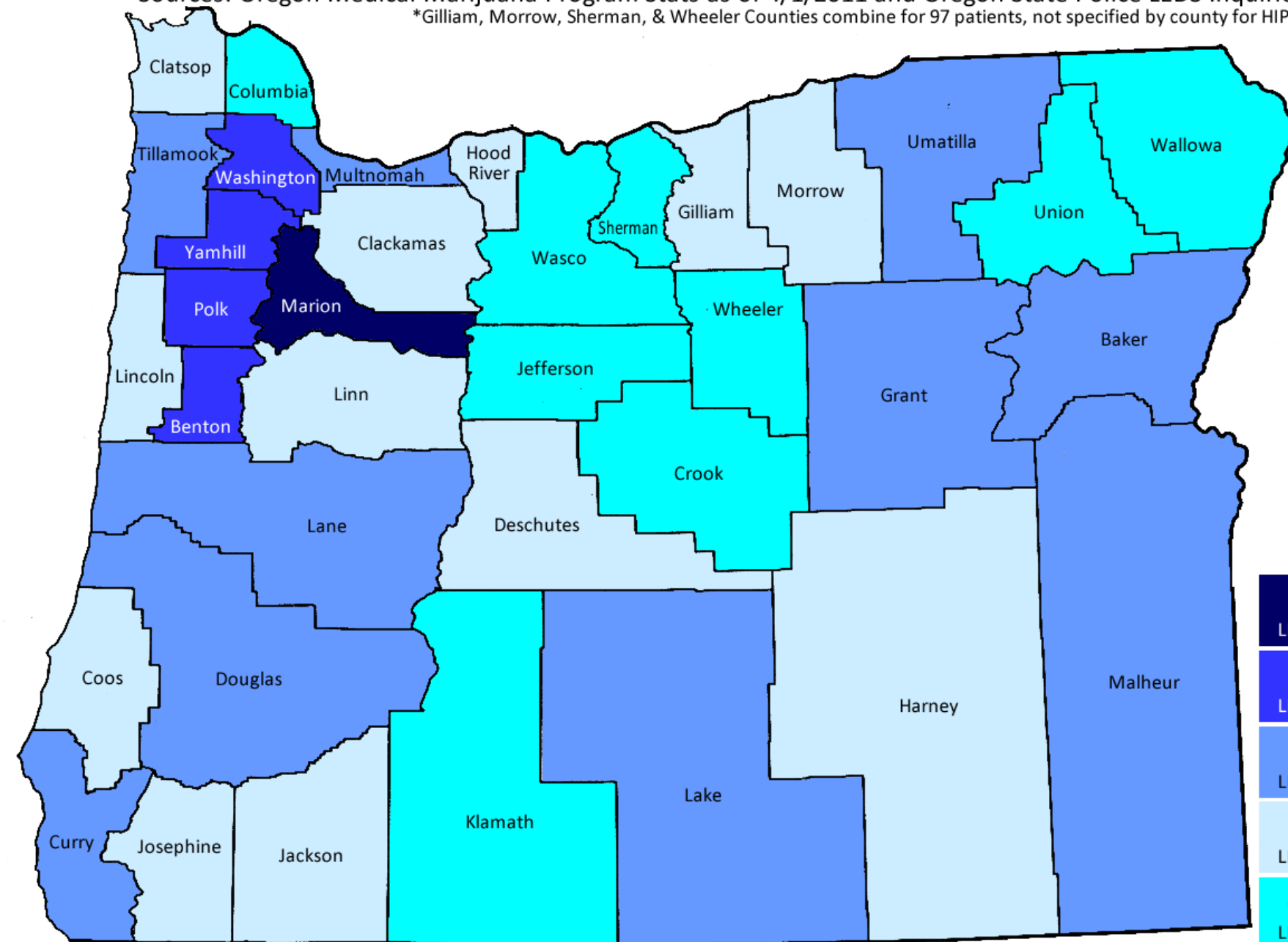
10+ Patients
per 1,000 residents

<10 Patients
per 1,000 residents

Lowest Three
Patients per 1,000 residents

Sources: Oregon Medical Marijuana Program Stats as of 4/1/2011 and Oregon State Police LEDS Inquiries to OMMP from 10/1/2009 - 9/30/2010

*Gilliam, Morrow, Sherman, & Wheeler Counties combine for 97 patients, not specified by county for HIPAA privacy concerns.



County	2010 LEDS Inquiries	LEDS : Patient
Marion	9,502	5.08
Yamhill	2,458	3.51
Polk	1,069	2.32
Benton	1,152	2.20
Washington	5,999	2.19
Umatilla	650	1.95
Douglas	2,498	1.58
Lake	144	1.52
Malheur	222	1.51
Baker	161	1.35
Multnomah	8,271	1.22
Lane	4,991	1.15
Grant	86	1.10
Curry	526	1.04
Tillamook	340	1.02
Harney	45	0.75
Jackson	3,811	0.74
Clatsop	266	0.66
Hood River	125	0.59
Gilliam	26	0.52
Morrow	25	0.50
Linn	471	0.46
Clackamas	1,271	0.45
Josephine	1,383	0.44
Deschutes	763	0.44
Coos	551	0.42
Lincoln	191	0.28
Union	44	0.23
Wallowa	15	0.22
Sherman	11	0.22
Columbia	139	0.21
Wheeler	10	0.20
Wasco	48	0.14
Crook	13	0.07
Jefferson	4	0.02
Klamath	13	0.02
Total	47,294	1.19

5+ : 1
LEDS reqs per patient

2+ : 1
LEDS reqs per patient

1+ : 1
LEDS reqs per patient

.25+ : 1
LEDS reqs per patient

<.25 : 1
LEDS reqs per patient

Since Gilliam, Morrow, Sherman, & Wheeler Counties must have <50 patients, numbers shown are the lowest possible values. Actual LEDS:patient for these counties must be greater.

LEDS requests for OMMP Registry information is concentrated in the Salem/Corvallis area. The number of database requests are 2x-5x greater than the number of patients. In the southwest corner where patients are concentrated, requests are about equal or less than patient numbers.

NORML OREGON LEDS PER DRUG CRIME

30+ Patients
per 1,000 residents

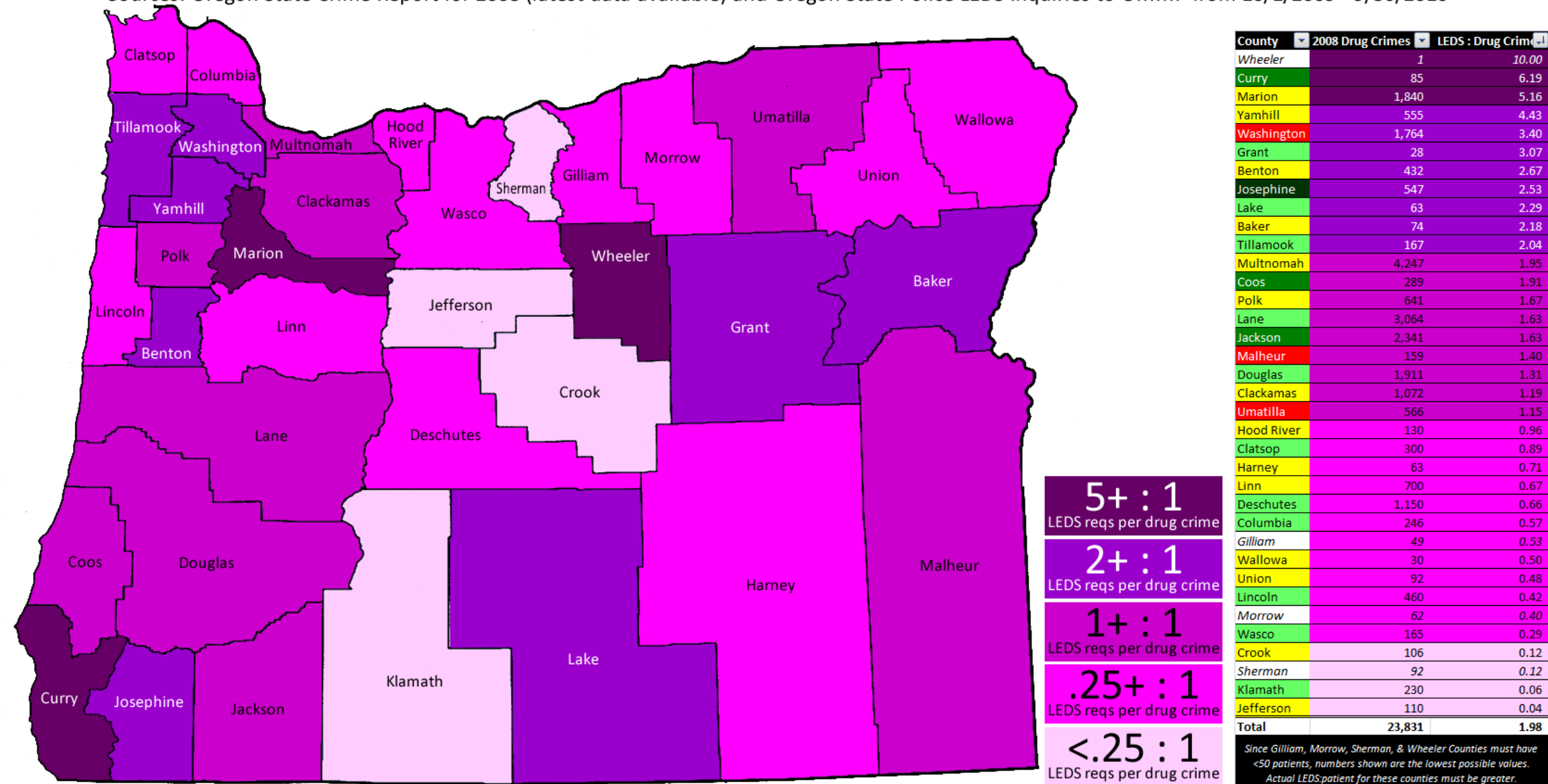
20+ Patients
per 1,000 residents

10+ Patients
per 1,000 residents

<10 Patients
per 1,000 residents

Lowest Three
Patients per 1,000 residents

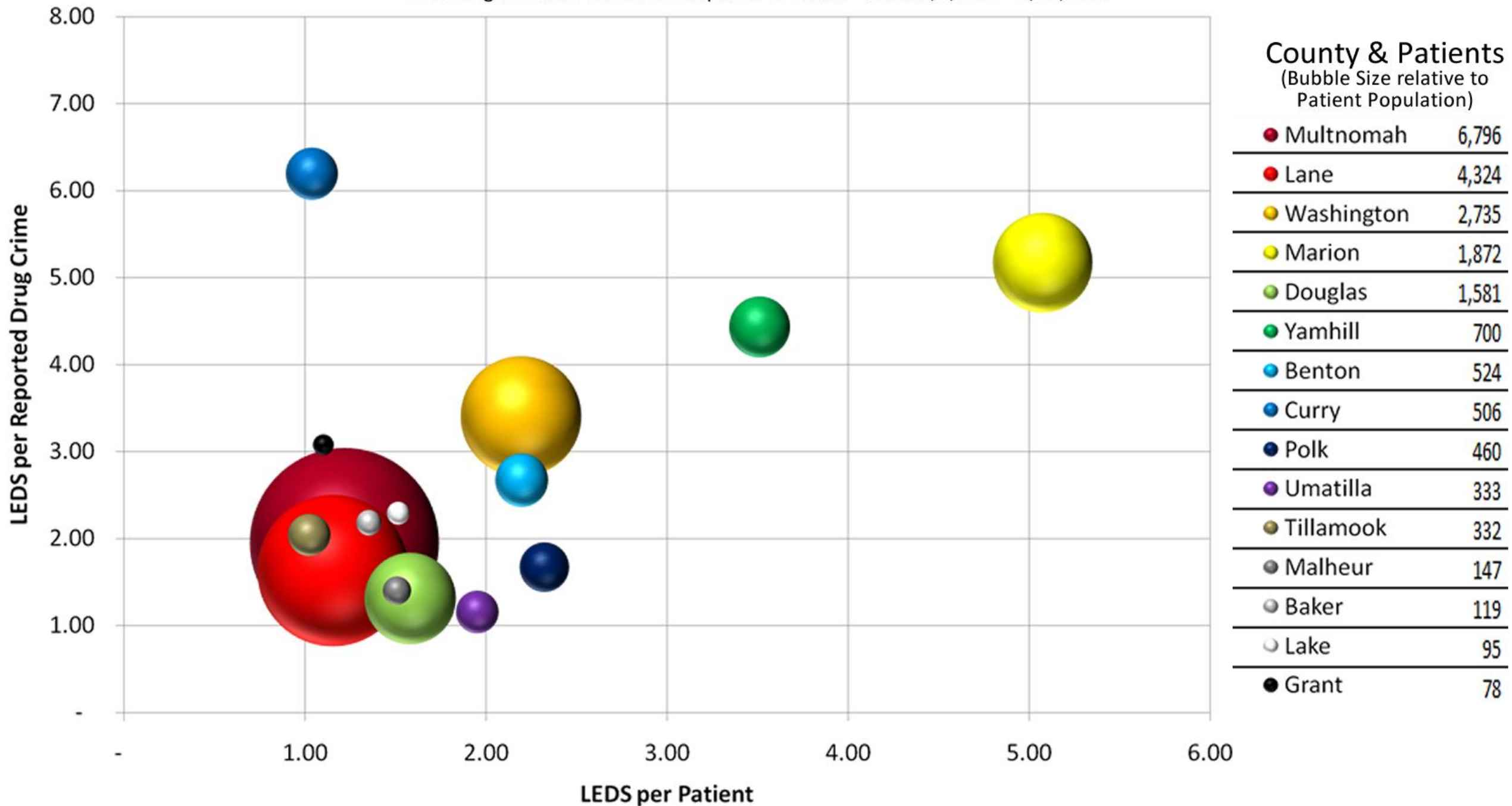
Sources: Oregon State Crime Report for 2008 (latest data available) and Oregon State Police LEDS Inquiries to OMMP from 10/1/2009 - 9/30/2010



Compared to all drug crimes reported, Marion County once again has 5x as many LEDS requests. Washington County, with so few patients, and Yamhill, Polk, Benton Counties again have many more requests than crime stats. Curry and Josephine Counties also have high LEDS counts

NORMAL COUNTIES WITH >1 LEDS PER PATIENT

Sources: Oregon Medical Marijuana Program Stats as of 4/1/2011, Oregon State Crime Report for 2008, and Oregon State Police LEDS Inquiries to OMMP from 10/1/2009 - 9/30/2010



These counties all have more LEDS requests to OMMP than they have patients or drug crimes. Marion County stands out, followed by Yamhill, Curry, Washington, Benton, and Polk. These requests should only be made to verify someone's OMMP status *after* marijuana is suspected.