



Missoula County Initiative #2  
Community Oversight Committee  
**Grievance Information Packet**

Initiative #2  
200 W. Broadway  
Missoula, MT 59802  
<http://www.co.missoula.mt.us/initiative2>

## MEMORANDUM

**To: Missoula County Public Defenders, ASUM Legal Services, Missoula County Criminal Defense Attorneys**

Missoula County Initiative MCSO2006-02 (commonly known as Initiative #2 or I-2) was passed by the voters of Missoula County on November 7<sup>th</sup>, 2006.

I-2 makes investigations, citations, arrests, property seizures, and prosecutions for adult marijuana offenses Missoula County's lowest law enforcement priority.

A subsequent amendment to I-2 passed by Missoula County Commissioners in February 2007 limits the scope of the I-2 to misdemeanor marijuana offenses.

I-2 establishes a Community Oversight Committee charged with overseeing implementation of the Initiative. Section 6(2)(c) of I-2 directs the Community Oversight Committee to establish a procedure for collecting grievances from individuals who believe they were arrested, cited, investigated, subjected to property seizures, or subjected to other law enforcement activity contrary to the spirit of the lowest law enforcement priority policy.

This memorandum was developed by the Community Oversight Committee for the purpose of providing basic procedural guidelines for individuals who wish to file grievances with the Oversight Committee. The goal of the Committee is to develop an accessible grievance mechanism that affords citizens an opportunity to register feedback pertaining to law enforcement and prosecutorial action that they believe contradicts either the letter or the spirit of the Initiative, while protecting the rights of such individuals against self-incrimination.

As such, the Committee requests that all grievances be submitted anonymously utilizing the process outlined below **in conjunction with qualified legal counsel**.

1. Fill out the attached Grievance Form. Additional forms may be downloaded from from Missoula County I-2 website located at <http://www.co.missoula.mt.us/initiative2/>
2. Mail to the Oversight Committee at the address listed on the form.

RESPECTFULLY submitted,

Community Oversight Committee  
Missoula County Initiative MCSO2006-02

## INITIATIVE #2 OVERVIEW

### Overview:

In November of 2006, Missoula County citizens passed Initiative #2 by a vote of nearly 55%. The initiative recommends that Missoula County law enforcement and prosecution authorities treat adult marijuana offenses as their lowest possible priority and establishes a Community Oversight Committee to evaluate implementation of that recommendation.

### Background:

- Nationwide, \$8 billion is spent every year on marijuana prohibition, which results in hundreds of thousands of arrests annually, 88% of which are for possession alone.
- In 2003, the city of Seattle adopted a policy that deprioritizes adult marijuana.
- In 2004, the city of Oakland adopted a policy that deprioritizes adult marijuana.
- In 2005, someone was arrested in Missoula County for marijuana every 33 hours.
- In summer 2006, Citizens for Responsible Crime Policy, a Missoula group working to promote smart, effective crime policies, collected signatures to put Initiative #2 on the November ballot.
- In November 2006, Missoula County and the California cities of San Francisco, Santa Barbara, Santa Cruz, and Santa Monica all passed marijuana deprioritization measures.
- In February 2007, Missoula County Commissioners amended Initiative #2 to exclude felony marijuana crimes from the voters' lowest priority recommendation.

### What I-2 Does:

- Recommends that Missoula County law enforcement and prosecution officials adopt a policy of treating adult marijuana crimes as their lowest possible priority.
- Requires the Missoula County Clerk to annually send a letter to state and federal officials advising them of the policy recommendations of the Initiative.
- Creates a Community Oversight Committee, responsible for:
  - Collecting grievances from Individuals who believe they were treated in a way contrary to the spirit of Initiative #2. Submitted grievances will be used by the Committee to evaluate implementation of Initiative #2.
  - Designing a supplemental reporting form for Missoula County deputies to record details of their marijuana-related law enforcement activities.
  - Submitting written reports semi-annually to the Missoula County Commissioners on implementation of Initiative #2.

## INITIATIVE #2 GRIEVANCE FORM

### Instructions:

1. You should fill out this form in consultation with an attorney if you believe you have been treated by County personnel in a manner contrary to the spirit of Initiative #2, which recommends that adult marijuana activity be the County's lowest law enforcement priority.
2. After filling out the form, mail it to:

**Initiative #2 – Grievances**  
**200 W. Broadway**  
**Missoula, MT 59802**

3. The information you provide will be used by the Committee to help evaluate implementation of Initiative #2. Should you need further assistance, please consult the next page titled “Resources”.

**WARNING:** Do NOT waive your right to avoid self-incrimination. Do not confess or admit to any crime on this form. The Committee is interested in the facts insofar as the facts illustrate how the County is or is not following the recommendations of voters to treat adult marijuana activity as their lowest possible priority. Simply explain how the incident came to happen, and the detailed actions of any and all law enforcement personnel involved. **CONSULT A CRIMINAL DEFENSE ATTORNEY BEFORE FILLING OUT THIS FORM.**

**PLEASE NOTE:** If you believe this a matter involving deputy conduct unrelated to I-2, contact the Missoula County Sheriff's office at 258-4810.

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Date of incident: \_\_\_\_\_

Did the incident occur in Missoula County?      Y      N

Did the incident occur in Missoula city limits?      Y      N

Number and type of law enforcement agencies involved: \_\_\_\_\_  
*(County Deputies generally in brown uniforms, City Police in black/blue uniforms)*

If you were charged with a criminal offense, what was it? \_\_\_\_\_

What happened? (use reverse or additional sheets as needed):

*All fields are optional. Do not confess or admit to any crime on this form.*

## RESOURCES

### Legal:

ASUM Legal Services  
University of Montana  
243-6213

Office of the State Public Defender  
Region 2, Missoula  
610 N. Woody, Missoula, MT 59802  
523-5140

### Medical:

Turning Point – Addiction Services  
532-9800

Saint Patrick Hospital – Addiction Treatment  
327-3020

Self Over Substances  
University of Montana  
243-2290 / 243-4711

Montana Medical Marijuana Program  
<http://www.dphhs.mt.gov/medicalmarijuana/>  
406-444-2676

Emergency: **Dial 911**

### Advocacy:

Citizens for Responsible Crime Policy  
<http://responsiblecrimepolicy.org/>  
493-0425

Montana NORML  
<http://www.montananorml.org>  
542-8696

Montana Patients & Families United  
<http://www.mtmjpatients.org/>