



MENDOCINO COUNTY SHERIFF'S OFFICE

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MEDICAL MARIJUANA ZIP-TIE PROGRAM (25 plants or fewer) Questions & Answers - Summer 2011

1. Why was this program created?

To quickly determine whether marijuana plants belong to a legitimate medical marijuana patient or that patient's designated caregiver. At the same time, we want to protect the confidentiality of medical marijuana patients.

2. How did we arrive at this program?

The State of California created a statewide medical marijuana identification card for patients and their designated caregivers. State law provides that, in general, patients and their designated caregivers who are in possession of a valid medical marijuana identification card shall not be subject to arrest for possession, transportation, delivery, or cultivation of medical marijuana so long as it does not exceed certain possession limits. Cities and counties can adopt higher limits than those set by the state. In Mendocino County, the current enforcement standard states that a patient can have no more than 25 marijuana plants and that these plants, when measured, must take up no more than 100 square feet, when grown indoors. The zip-tie program provides a mechanism for quickly identifying the 25 plants that a pre-identified medical marijuana patient may possess.

3. Who is eligible?

The program is open to medical marijuana patients who possess a valid, state-issued medical marijuana identification card or medical recommendation and who are growing (or plan to grow) medical marijuana in Mendocino County.

4. Is it confidential?

Yes. We take a copy of your medical marijuana identification card, but we don't ask for your name, address, phone number, driver's license number or anything else that would reveal your name. We also don't ask about your medical condition. You don't even need to tell us your name when you speak with our staff.

5. Can't you get my name from the State?

No. We can only verify whether or not your card is valid.

6. How do I get the zip ties?

Go to one of these Sheriff's Office locations:

- Business Office, 589A Low Gap Road, Ukiah; or
- Fort Bragg Sub-Station, 700 S. Franklin St., Fort Bragg; and
- Present your state-issued, medical marijuana patient identification card, or medical recommendation.

- State the number of zip ties you need, up to 25.

A staff member will copy your identification card onto a form that lists the serial numbers of the zip ties you are issued. You will be given a copy of this form, and we will maintain a copy in our files.

7. How do you keep track of the zip ties you issue?

Your patient identification card number and the serial numbers of your zip ties will be entered into a secure database. We can search the database by patient number or zip tie number.

8. How many zip ties can I obtain?

No more than 25.

9. How much will the zip ties cost me?

We charge a fee of \$25 for each zip tie. The fee is set by the Board of Supervisors in a public hearing.

10. When do the zip ties expire?

The zip ties expire and become invalid under the following circumstances:

- At the end of the calendar year in which they were issued; or
- Upon expiration, revocation or surrender of the patient identification card or medical recommendation used to obtain the zip-ties; or
- Upon the patient's death.

11. How do I attach the zip ties to the plants?

Wrap the zip tie around the base of the plant, just above the first limb. Push the small end through the enclosed ratchet. Tighten it to the point that it cannot be slipped off the plant.

12. Can the zip ties be reused or moved to another plant?

No. The zip ties are for a single use on a single plant.

13. Some of my zip tied plants died. Can I move the ties to healthy plants?

No. The zip ties are for a single use on a single plant.

14. My zip ties were lost or stolen. Can I get replacements?

Please report lost or stolen zip ties to the Sheriff's Office. Replacements will be determined on a case by case basis.

15. I only grow small plants, and I have a doctor's recommendation that 25 small plants would not meet my medical need. Can I get more than 25 zip-ties?

No. The limit is 25 zip-ties per patient. No exceptions.

16. Can I give some or all of my zip ties to my caregiver?

Yes, you can give some or all of your zip ties to your designated caregiver. Make sure that they also have a copy of your California issued medical cannabis card or your medical recommendation at the garden site.

17. Can I use the zip-ties on marijuana plants grown in another county?

No.

18. Can I obtain the zip-ties anywhere other than the Sheriff's Office?

Not at the present time.

19. I gave some of my zip ties to my caregiver, but now I'm changing caregivers. What should I do?

Health & Safety Code Section 11362.76 requires you to notify the county health department within seven days if you change your attending physician or designated primary caregiver. If you fail to do so, the State considers your card expired, and that means your zip-ties become invalid. Once you have notified the health department of the change, you need to recover the zip-ties you gave to your former caregiver. If they are unused, you can give them to a new caregiver. If they are in use, they cannot be reused.

20. What should I do with the zip-tie receipt I get from your office?

Keep it in a safe place. Have it (or a copy) available to show to a Deputy if he or she asks to see it. If your designated caregiver is growing plants for you, make sure he or she has a copy of your receipt available for review. Think of this like having a registration card in your car. We can run your license plate and get your registration information, but you are still required to have the registration card in the vehicle.

21. I'm a caregiver for a terminally ill patient. Are my patient's zip ties still valid if he/she dies?

No. The zip ties cannot be transferred from person to person or to next-of-kin.

22. I'm sharing a garden with another patient. Should we both get zip ties for our plants?

It's up to you. The program is completely voluntary. Make sure you do not exceed 25 plants in the garden.

23. Will the other law enforcement agencies in the county recognize your zip-ties?

We can't require other law enforcement agencies in the county to recognize this program. They are however required to follow state law regarding state-issued medical marijuana patient and caregiver identification cards. Contact your local law enforcement agency if you have questions about their marijuana enforcement policies.

24. I'm not sure if I want to participate in this program. If I don't participate, do I give up any rights? Will my non-participation be considered suspicious?

This program is entirely voluntary. We aren't required to provide it, and you aren't required to participate. You don't give up any rights if you decide you don't want to participate. We've specifically told our deputies that non-participation in the zip-tie program will never be used as evidence of any crime.

25. What if I have other questions?

Please call one of our offices during normal business hours.