



## ARCHIVED - Archiving Content

### Archived Content

Information identified as archived is provided for reference, research or recordkeeping purposes. It is not subject to the Government of Canada Web Standards and has not been altered or updated since it was archived. Please contact us to request a format other than those available.

## ARCHIVÉE - Contenu archivé

### Contenu archivé

L'information dont il est indiqué qu'elle est archivée est fournie à des fins de référence, de recherche ou de tenue de documents. Elle n'est pas assujettie aux normes Web du gouvernement du Canada et elle n'a pas été modifiée ou mise à jour depuis son archivage. Pour obtenir cette information dans un autre format, veuillez communiquer avec nous.

This document is archival in nature and is intended for those who wish to consult archival documents made available from the collection of Public Safety Canada.

Some of these documents are available in only one official language. Translation, to be provided by Public Safety Canada, is available upon request.

Le présent document a une valeur archivistique et fait partie des documents d'archives rendus disponibles par Sécurité publique Canada à ceux qui souhaitent consulter ces documents issus de sa collection.

Certains de ces documents ne sont disponibles que dans une langue officielle. Sécurité publique Canada fournira une traduction sur demande.

**CENTRE FOR CRIMINAL JUSTICE RESEARCH**

**SCHOOL OF CRIMINOLOGY AND CRIMINAL JUSTICE  
UNIVERSITY COLLEGE OF THE FRASER VALLEY**



**Centre for Criminal Justice Research**

**A SUN CENTRE OF EXCELLENCE**

# **Marihuana Growing Operations in Alberta**

---

**1997 – 2004**

**Darryl Plecas  
Jordan Diplock**



**March 2007**

# Table of Contents

Table of Contents .....	ii
List of Tables.....	iv
Chapter 1.....	1
Introduction.....	1
Methods .....	2
Chapter 2.....	5
Incidents of Alleged Marihuana Cultivation Coming to the Attention of Police .....	5
Suspected Cases of Marihuana Cultivation .....	5
Sources of Information.....	10
Investigations .....	11
Founded Cases.....	14
Chapter 3.....	18
Description of Marihuana Growing Operations.....	18
Characteristics of Growing Operations .....	18
The Size of Operations.....	19
Value of Marihuana Seized.....	23
Growing Sophistication of Operations .....	23
The Potential Harms Associated with Growing Operations .....	27
Chapter 4.....	29
The Suspects .....	30
Description of Suspects .....	30
Criminal History of Suspects.....	32
Chapter 5.....	35
Action Taken.....	35
Searches and Seizures .....	35
Charges .....	37
Dispositions .....	40
Chapter 6.....	42
Sentencing .....	42
Type and Severity of Penalty Imposed .....	42
Severity of Penalty and Offenders' Criminal History.....	46
References .....	49

Appendices .....	50
Appendix 1 .....	50
Appendix 2 .....	51
Appendix 3 .....	53

## List of Tables

Table 2.1: Cases that came to the Attention of Police in Alberta Between January 1, 1997 and December 31, 2004, by District.....	6
Table 2.2: Percent Increase in Cultivation Cases Coming to the Attention of Police From 1998 To 2004 * .....	7
Table 2.3: Marihuana Cultivation Cases Known to the Police in 2004: Rates Per 1,000 Population for Selected Alberta Communities with Populations Larger than 5,000 .....	8
Table 2.4: Top Five Most Over-Represented Jurisdictions in 2004 .....	9
Table 2.5: The Source of Information Leading to the Opening of A Police File on a Marihuana Grow Operation (Alberta And British Columbia, 1997-2004) * .....	11
Table 2.6: Action Taken by the Police After Receiving Information on Suspected Marihuana Growing Operations and the Percentage of Cases in Which a Full Investigation was Conducted in Alberta From 1997-2004 * .....	12
Table 2.7: Average Length in Days Elapsed For Full Investigation Cases in Alberta From 1997 To 2004 * .....	13
Table 2.8: Founded Marihuana Cultivation Cases in 2004: Rates Per 1,000 Population For Selected Alberta Communities With Populations Larger Than 5,000 .....	17
Table 3.1: The Average Number of Plants Involved When Plants were Seized by Type of Operation in Alberta 1997 – 2004 .....	22
Table 3.2: Equipment Seized From Cases of Marihuana Cultivation that were Founded or Founded But too Late in Alberta From 1997 – 2004.....	24
Table 3.3: High Wattages Lights Seized From Cases of Marihuana Cultivation that were Founded or Founded But too Late in Alberta From 1997 – 2004 .....	25
Table 3.4: The Average Number of High Wattage Lights Seized From Cases of Marihuana Cultivation in Alberta From 1997 - 2004 * .....	26
Table 3.5: Percentage of Founded Marihuana Grow Operations with Evidence of an Electricity Bypasses in Alberta From 1997 – 2004 * .....	27
Table 3.6: Hazardous Characteristics of Marihuana Growing Operation in Alberta From 1997 – 2004 .....	28
Table 4.1: Percentage of Founded Marihuana Cultivation Operations Involving Identified Suspects and the Number of Suspects Involved in Alberta 1997-2004 * .	31
Table 4.2: Average Number of Suspects Involved per Case for Alberta and British Columbia 1997-2003 *.....	31
Table 4.3: Gender, Age, and Ethnic Groups of Suspects Involved in Marihuana	

Cultivation Operations with Suspects Present in Alberta 1997-2003 *	32
Table 4.4: Marihuana Cultivation Cases in Alberta 1997-2004: Percent of Suspects With a Confirmed Prior Criminal Conviction *	33
Table 4.5: Criminal Histories of Suspects Involved in Marihuana Cultivation Operations in Alberta And British Columbia 1997-2004 *	33
Table 4.6: Criminal History Characteristics of Suspects Involved in Marihuana Cultivation Operations in Alberta 1997-2004 By Prolific Offender Classification *	34
Table 5.1: Percentage of Founded Marihuana Grow Operations Classified as "No Case" Seizures in Alberta 1997-2004 *	36
Table 5.2: Percentage of Founded Marihuana Grow Operations Classified as "No Case" Seizures 1997-2004 (Alberta compared to British Columbia) *	37
Table 5.3: Percentage of Founded Cases that were Not Classified as "No Case" Where Charges were Laid in Alberta 1997-2004*	38
Table 5.4: Percentage of Charged Suspects by Type of Charge: Marihuana Grow Operations in Alberta 1997-2004 *	39
Table 5.5: Number of Charges Faced by Suspects in Marihuana Grow Operation Cases in Alberta 1997-2004 *	39
Table 5.6: Percentage of Suspects Where Charges Were Stayed in Marihuana Grow Operations in Alberta 1997-2004 *	40
Table 5.7: Percentage of Suspects Found Guilty Among Cases in Which Charges were Dealt With by Count *	41
Table 6.1: Percentage of Offenders Who Received Selected Penalties as Part of a Sentence for Convictions Associated with their Involvement in a Marihuana Grow Operation in Alberta, 1997-2004 *	43
Table 6.2: Percentage of Offenders Who Received a Term of Imprisonment as Part of a Sentence for Convictions Associated with Their Involvement in a Marihuana Grow Operation, 1997-2004 (Alberta and British Columbia) *	44
Table 6.3: Percentage of Offenders Who Received a Term of Probation as Part of a Sentence for Convictions Associated with their Involvement in a Marihuana Grow Operation, 1997-2004 *	44
Table 6.4: Severity of Selected Penalties Imposed in Convictions for Production (C.D.S.A. s.7) Associated with Marihuana Grow Operations in Alberta 1997-2004 *	45
Table 6.5: Severity of Selected Penalties Imposed for Conviction for Possession for the Purpose of Trafficking (C.D.S.A. s.5) Associated with Marihuana Grow Operations in Alberta 1997-2004 *	45
Table 6.6: Severity of Selected Penalties Imposed in Convictions for Production (C.D.S.A. s.7) Associated with Marihuana Grow Operations in Alberta And British	

Columbia 1997-2004 \* ..... 46

Table 6.7: Percentage of Offenders who Received a Prison Term for Marihuana  
Production (*C.D.S.A. s.7*) and Average Length of Prison Term by Offenders' Criminal  
History \* \*\* ..... 47

Table 6.8: Percentage of Offenders Sentenced to a Prison Term and Average Length  
of Prison Term for a Conviction for Production (*C.D.S.A. s.7*) by Size of the Marihuana  
Grow Operations in 1997-2004 \* \*\* ..... 48

## List of Figures

Figure 2.1: Number of Marihuana Cultivation Incidents that came to the Attention of Police Agencies in Alberta Between January 1, 1997 and December 31, 2004 (N=2,525).....	5
Figure 2.2: Number of Founded Cases of Marihuana Cultivation in Alberta From January 1, 1997 To December 31, 2004.....	14
Figure 2.3: Number of Founded Cases of Marihuana Cultivation in Alberta From January 1, 1997 To December 31, 2004 (Excluding Founded Cases Associated To The Calgary Police Service).....	15
Figure 2.4: Number of Founded Cases of Marihuana Cultivation Associated to the Calgary Police Service From January 1, 1997 To December 31, 2004 .....	16
Figure 3.1: Type of Founded Marihuana Growing Operations in Alberta From 1997 - 2004 (all figures rounded) .....	19
Figure 3.2: Total Number of Plants Seized by Police From Founded Cases of Marihuana Cultivation From 1997 - 2004.....	20
Figure 3.3: Total Number of Plants Seized by Police From Founded Cases of Marihuana Cultivation From 1997 - 2004 (Excluding The Outlying Case In 2003) .	21
Figure 3.4: The Average Weight of Harvested Marihuana Seized in Alberta From 1997 - 2004 .....	22
Figure 5.1: Number of Suspects Charged in Alberta 1997-2004 Compared to British Columbia .....	38



# Chapter 1

## *Introduction*

This report on the nature and extent of marihuana grow operations in Alberta follows a similar report on marihuana grow operations in British Columbia (Plecas, Malm, & Kinney, 2005). That report described the results of a review of all marihuana grow operations coming to the attention of police in British Columbia over the seven-year period 1997 to 2003. The review involved a comprehensive analysis of police files associated with 25,014 grow operations and the 15,588 suspects connected to these incidents. The purpose of the review was not only to describe the nature and extent of grow operations throughout the province, but also to describe how the police and the courts responded to marihuana grow incidents. The report found that grow operations had increased substantially in British Columbia over the seven years, that they had become larger and more sophisticated, that a significant number involved hydro theft, that the average operation involved seasoned criminals, increasingly of Vietnamese origin, and that the volume of operations exceeded the capacity of the police to respond. At the same time, however, prosecutors were less likely to proceed with charges and judges were less likely to sentence individuals involved in a grow operation to prison (Plecas et al., 2005).

British Columbia was an ideal place to begin a detailed look at marihuana grow operations simply because it has lead the country in terms of its volume of operations and its rate of incidents compared to other provinces in Canada. Specifically, just prior to the release of the Plecas et al. (2005) report, British Columbia comprised 39% of all grow operations in Canada; three times the national average (Statistics Canada, 2004). Alberta is a good province to compare to British Columbia because, while BC has had the highest rate of grow operations per 100,000 population (i.e. 79), Alberta has had the lowest in the country at 7 operations per 100,000 population (Statistics Canada, 2004).

The present study was based on the same methodology as the Plecas et al. (2005) study. The only notable difference was that, while the British Columbia review covered a seven-year period, the present study covers an eight-year period (i.e. 1997 to 2004). The study was made possible by funding from the Ministry of Public Safety and Emergency Preparedness Canada and the University College of the Fraser Valley, with in-kind contributions from the Drug Enforcement Branch, “K” Division of the Royal Canadian Mounted Police. Further, the study was greatly facilitated through the co-operation of virtually every single police jurisdiction in the province.

Throughout this report, reference is made to the Plecas et al. (2005) report to assist in giving perspective to the current findings. As will be seen, for the most part, grow operations in Alberta are no different from those in British Columbia. There are two significant differences, however. One difference is the manner in which police and the courts have responded to individual incidents, while the other is that Alberta has a rate of grows per population which is one-tenth that of British Columbia. This second difference is likely due to the first difference, namely the more punitive response to those involved in grow operations. Indeed, taking into account the far lesser likelihood of a marihuana grow operation in Alberta becoming a “no case” seizure, the far lesser likelihood of charges against suspects being stayed, and the far greater likelihood that courts in Alberta will consider prison as an appropriate penalty for those who get convicted, this has created a situation whereby the likelihood of someone being apprehended at a grow operation and receiving a term of imprisonment was six times more likely in Alberta than in British Columbia.

## ***Methods***

Following the methodology used in previous studies on marihuana growing operations in British Columbia (Plecas, Dandurand, Chin, & Segger, 2002; Plecas et al., 2005), the current study involved a review of all cases of marihuana cultivation coming to the attention of police from the beginning of January 1997 until the end of

December 2004 within every law enforcement jurisdiction in Alberta. These file reviews were conducted by a team of researchers and research assistants through actual site visits to police detachments. Visits were secured by R.C.M.P. officials from “K” Division. One exception in this methodology involved the files associated with Calgary Police Service. The Calgary Police Service compiled their data independently from this project and, therefore, much of the information normally obtained through file reviews was omitted from those incidents.

In terms of data coding instruments, the present study used the same data coding instruments used in the two prior studies by Plecas et al. (2002; 2005). These coding instruments were used to gather information on each incident and the associated suspects involved. These instruments can be found in the Appendices. Appendix 1 contains the incident data coding sheet, including such information as the location of the growing operation, the nature and origin of the complaint, the length and status of the police investigation, the size and type of the growing operation, the amount of marihuana seized, the presence of other drugs, the presence of various cultivation equipment, and decisions made by the prosecution. Appendix 2 presents the coding sheet used to collect suspect information and includes data about the suspect’s name, gender, ethnicity, specific charges, and sentencing outcomes.

In addition to the information collected directly from the police files, further information on the criminal histories of each suspect was gathered through the use of their unique FPS number (fingerprint identification number). Information from each suspect’s criminal record was coded and linked to each incident using a system of unique identifiers. However, obtaining complete information on criminal histories can be problematic. In some cases, convicted offenders are not fingerprinted and, therefore, it is not always possible to confirm that a conviction exists. Further, there is a significant time lag between dates of conviction and the actual placement of that conviction on record. In the final analysis, the data presented in this report likely underestimates the reality of certain reported results.

The information on all incidents, suspects, and suspect criminal histories was analyzed using the statistical analysis program SPSS.

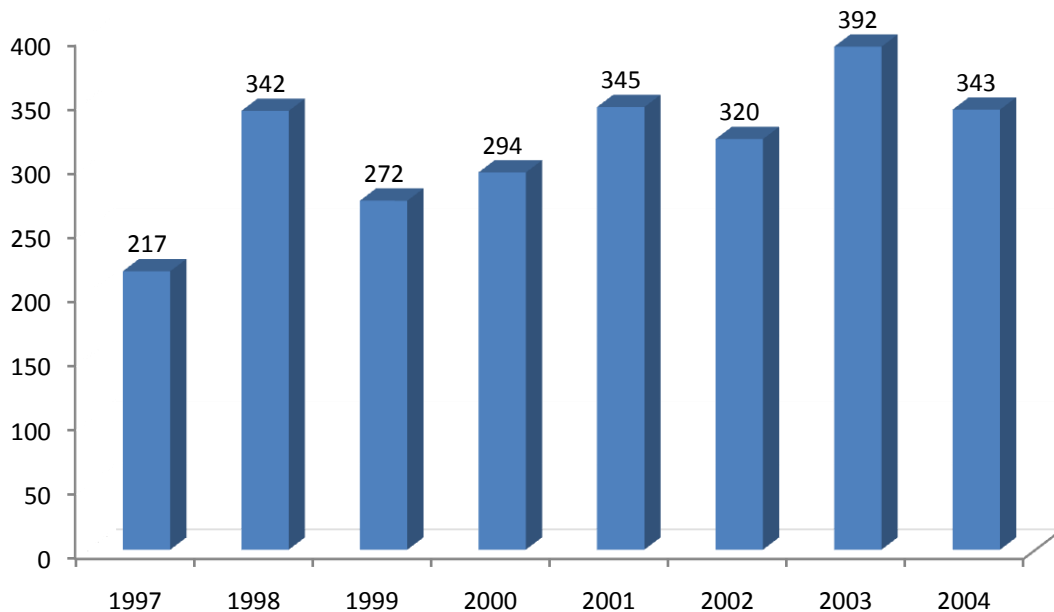
## Chapter 2

### Incidents of Alleged Marihuana Cultivation Coming to the Attention of Police

#### *Suspected Cases of Marihuana Cultivation*

During the eight-year period between January 1997 and December 2004, a total of 2,525 incidents of alleged marihuana cultivation came to the attention of Alberta police forces. This number includes those incidents compiled by the Calgary Police Service, although, as explained in Chapter 1, they will be excluded from much of the later analysis. These 2,525 cases represented a considerably smaller number than that of British Columbia, which had ten times the alleged incidents over a seven-year period from 1997 to 2003 (Plecas et al., 2005). **Figure 2.1** presents the total number of marihuana cultivation cases in Alberta for each of the eight years of study.

**Figure 2.1: Number of Marihuana Cultivation Incidents that came to the Attention of Police Agencies in Alberta Between January 1, 1997 and December 31, 2004 (N=2,525)**



In considering the first and last year of this study, there was a 58% increase in the number of cases in 2004 compared to 1997. However, the general trend over the eight-year period was more flat than rising. Specifically, in 1998 342 grows came to the attention of police; three years later, in 2001, the number was 345; and three years after that, in 2004, the number was 343. Nonetheless, the Alberta pattern does not indicate the substantial increases in alleged grow operations witnessed in British Columbia from 1997 to 2000 (Plecas et al., 2005).

**Table 2.1** displays the 2,525 incidents of alleged cultivation broken down by year and district. The districts are those recognized by RCMP K Division, but also include the municipal police forces situated in those geographic regions. These districts include the Provincial Capital District, Calgary Urban Area, Eastern Alberta District, Western Alberta District, and Southern Alberta District.

**Table 2.1: Cases that came to the Attention of Police in Alberta Between January 1, 1997 and December 31, 2004, by District**

District	File Year								Total
	1997	1998	1999	2000	2001	2002	2003	2004	
<b>Provincial Capital Region</b>	57	72	79	70	82	76	105	79	620
<b>Calgary Urban Area</b>	121	152	102	118	147	119	165	129	1,053
<b>Eastern Alberta District</b>	10	31	36	38	41	47	35	41	279
<b>Western Alberta District</b>	15	26	26	27	30	29	29	23	205
<b>Southern Alberta District</b>	14	61	29	41	45	49	58	71	368
<b>Total</b>	217	342	272	294	345	320	392	343	2,525

As Table 2.1 demonstrates, the Calgary Urban Area had the highest number of alleged incidents of marihuana cultivation of any district in each of the eight years under study. A large portion of the incidents within this district were located in the jurisdiction of the Calgary Police Service, which had over 36% of the provincial total over the eight years. The Provincial Capital Region had the second highest count followed by the Edmonton Police Service with over 16% of the provincial total. It is not surprising that the two regions in which Edmonton and Calgary are located recorded higher numbers of alleged growing operations than the other three districts.

**Table 2.2: Percent Increase in Cultivation Cases Coming to the Attention of Police From 1998 To 2004 \***

<b>District Within Alberta</b>	<b>Percent Increase from 1998 - 2004</b>
<b>Eastern Alberta District</b>	32%
<b>Southern Alberta District</b>	16%
<b>Provincial Capital Region</b>	10%
<b>Western Alberta District</b>	-12%
<b>Calgary Urban Area</b>	-15%
<b>Total for Province of Alberta</b>	0%

\* All figures rounded.

It is also interesting to note, as demonstrated by **Table 2.2**, that, over the time period of the study, some districts had increases while the others had decreases. The greatest increase (32 per cent) was found in the Eastern Alberta District, while the Calgary Urban Area had an overall decrease of 15%. However, as mentioned above, there was a net increase of 0% over the eight-year period.

As the two jurisdictions with the greatest number of alleged incidents of marihuana cultivation are also the two most populous jurisdictions, it is important to compare the frequency of known incidents in each jurisdiction proportionally to the size of the population of each jurisdiction. **Table 2.3** presents the 2004 data for population, frequency of alleged incidents, number of alleged growing operation per 1,000 people, percentage of the provincial population, and the percentage of the total number of incidents for each jurisdiction with a population greater than 5,000.

**Table 2.3: Marihuana Cultivation Cases Known to the Police in 2004: Rates Per 1,000 Population for Selected Alberta Communities with Populations Larger than 5,000**

Jurisdiction	Population	Count	Per 1000 Population	Population Percent	Count Percent
Edmonton PS	666104	53	0.0796	21.7	15.5
Calgary	933495	106	0.1136	30.4	30.9
Airdrie	25606	5	0.1953	0.8	1.5
Banff	8282	0	0.0000	0.3	0.0
Bonnyville	5709	1	0.1752	0.2	0.3
Brooks	11604	2	0.1724	0.4	0.6
Canmore	11458	3	0.2618	0.4	0.9
Cochrane	12074	4	0.3313	0.4	1.2
Cold Lake	11595	1	0.0862	0.4	0.3
Crowsnest Pass	6262	3	0.4791	0.2	0.9
Devon	5315	1	0.1881	0.2	0.3
Drayton Valley	6210	2	0.3221	0.2	0.6
Drumheller	7785	2	0.2569	0.3	0.6
Edson	7815	3	0.3839	0.3	0.9
Fort McMurray	57099	2	0.0350	1.9	0.6
Fort Saskatchewan	13824	1	0.0723	0.5	0.3
Grand Prairie	40226	4	0.0994	1.3	1.2
High River	9345	1	0.1070	0.3	0.3
Hinton	9405	2	0.2127	0.3	0.6
Innisfail	6958	2	0.2874	0.2	0.6
Leduc	15630	6	0.3839	0.5	1.7
Lethbridge	72717	5	0.0688	2.4	1.5
Medicine Hat	51249	0	0.0000	1.7	0.0
Morinville	6540	3	0.4587	0.2	0.9
Okotoks	11664	3	0.2572	0.4	0.9
Olds	6607	3	0.4541	0.2	0.9
Ponoka	6330	1	0.1580	0.2	0.3
Red Deer City	72691	19	0.2614	2.4	5.5
Rocky Mountain House	6208	4	0.6443	0.2	1.2
Slave Lake	6600	0	0.0000	0.2	0.0
Spruce Grove	17082	2	0.1171	0.6	0.6
St. Albert	54588	4	0.0733	1.8	1.2
St. Paul	5061	3	0.5928	0.2	0.9
Stettler	5226	2	0.3827	0.2	0.6
Stony Plain	10544	8	0.7587	0.3	2.3
Strathmore	8640	8	0.9259	0.3	2.3
Sylvan Lake	7493	1	0.1335	0.2	0.3
Taber	7671	0	0.0000	0.3	0.0
Vegreville	5376	2	0.3720	0.2	0.6
Wainwright	5183	2	0.3859	0.2	0.6
Wetaskiwin	11154	1	0.0897	0.4	0.3
Whitecourt	8334	1	0.1200	0.3	0.3
<b>ALBERTA PROVINCE</b>	<b>3066257</b>	<b>343</b>	<b>0.1119</b>	<b>100.00</b>	<b>100.00</b>

By comparing these jurisdictions using population data, Table 2.3 provides a way to determine which jurisdictions are over-represented in terms of their population. It



is interesting to note that the jurisdiction of the Calgary Police Service had 30.9% of the total number of alleged incidents in 2004. As the population of Calgary in 2004 was approximately 30.4% of the entire population of Alberta, the city of Calgary's numbers are proportional to its population. The jurisdiction of the Edmonton Police Service accounts for 21.7% of Alberta's population but only 15.5% of all alleged grow-ops in the province. Neither of these two major urban centers is over-represented in terms of population. When looking at Table 2.3, those jurisdictions with a number per 1,000 population higher than the provincial average of 0.11 are considered over-represented, while those falling below the provincial average are considered under-represented. Many of the communities with populations less than 5,000 were over-represented. However, as there are so few incidents in the majority of these communities, these numbers reveal very few meaningful trends with regards to over-representation for the province.

**Table 2.4** presents the top five most over-represented jurisdictions in 2004 and their number of incidents per 1000 people. Again, the numbers are so small they the general conclusion is that there is a lack of substantial over-representation in any one area of the province.

**Table 2.4: Top Five Most Over-Represented Jurisdictions in 2004**

Jurisdiction	Number of incidents	Number of incidents of alleged cultivation per 1000 people
Spirit River	7	6.36
Two Hills	4	3.66
Kitscoty	2	2.98
Bashaw	2	2.42
Beiseker	2	2.39
Provincial Average		.11

Calgary and Edmonton, with their large population and large proportions of incidents, are of particular importance in the province of Alberta. In 2004, over 30% of all incidents in the province were within the jurisdiction of Calgary and nearly 16% were within the jurisdiction of Edmonton. Although still accumulating nearly

50% of all alleged growing operations in Alberta, these proportions have dropped considerably since 1997. In 1997, Calgary alone was the jurisdiction of over half of all alleged incidents in the province, with Edmonton the jurisdiction of nearly one quarter. While yearly numbers in Calgary and Edmonton have fluctuated somewhat around a relatively stable average, the numbers in the rest of the province have been rising.

### ***Sources of Information***

Excluding cases coming to the attention of police associated with Calgary Police Service (i.e. 918 cases), information on how incidents of marihuana grow operations came to the attention of police was on the police file in 95% of cases. Based on these cases, it is clear that in nearly two thirds of cases (64 per cent), the police became aware of a potential growing operation as the result of an anonymous tip or complaint, usually by telephone. Beyond that, as **Table 2.5** indicates, calls came to the attention of the police in Alberta from a number of different sources. Notably, only about one in twenty cases came to the attention of police through a proactive criminal investigation on the part of the police. Finally, it is noteworthy that the present review of files found, as Plecas et al. (2005) found in their review of files in British Columbia, that the pattern of which sources have been responsible for bringing cases to the attention of police has generally remained stable since 1997.

**Table 2.5: The Source of Information Leading to the Opening of A Police File on a Marihuana Grow Operation (Alberta And British Columbia, 1997-2004) \***

Source of Complaint	Percent of all cases in Alberta 1997-2004	Percent of all cases in British Columbia 1997-2003 **
<b>Crime Stoppers/Informant</b>	64%	57%
<b>While responding to another call</b>	7%	9%
<b>Landlord</b>	5%	8%
<b>General Investigation</b>	5%	6%
<b>Neighbour</b>	3%	7%
<b>Routine Check including traffic stop</b>	3%	4%
<b>While serving a warrant</b>	2%	3%
<b>Hydro</b>	2%	3%
<b>Other (e.g. fire, government officials, inspectors)</b>	9%	5%

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

\*\* Figures from Plecas et al. (2005).

## *Investigations*

Depending on the nature of the information leading to the case, some investigations were much more active than others. The conclusions of investigations were categorized into five categories: founded; unfounded; no action taken; other (concluded without full investigation); and founded, but too late. These five categories can be further described as a full investigation, a partial investigation, or no action. **Table 2.6** presents the breakdown of action taken by percentage for each of the eight years. Again, data from the Calgary Police Service was omitted from analysis as information on partial investigations and no action cases was not obtained.

**Table 2.6: Action Taken by the Police After Receiving Information on Suspected Marihuana Growing Operations and the Percentage of Cases in Which a Full Investigation was Conducted in Alberta From 1997-2004 \***

File Year	Investigation		
	Full Investigation	No Action	Partial Investigation Only
1997	97%	1%	2%
1998	87%	3%	10%
1999	80%	9%	12%
2000	79%	6%	16%
2001	80%	6%	14%
2002	78%	10%	12%
2003	83%	8%	10%
2004	77%	7%	16%

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

Similar to trends in British Columbia, the percentage of cases resulting in a full investigation dropped from the beginning of the study period to the end (Plecas et al., 2002). With greater numbers of growing operations coming to the attention of police, the ability to fully investigate each occurrence diminished. The drop recorded in Alberta was not nearly as pronounced as the reduction recorded in British Columbia's follow-up study which saw full investigation diminish to just over 50% by 2003 (Plecas et al., 2005). The trend in Alberta was a greater prevalence of partial investigations as opposed to the substantial increase in no action files. Perhaps the fewer cases in Alberta allowed police to react to the increasing cultivation files by using partial investigations to prioritize and focus on more promising cases without allowing as many files to be concluded with no action taken.

The length of a full investigation, defined as the time between the date the information was first received and the date of the final search, can vary greatly depending on a number of factors. When researching marihuana growing operations in British Columbia, Plecas et al. (2002) found that the average number of days elapsed between the initial information and the final search increased from 1997 to 2000. **Table 2.7** shows the yearly averages of time elapsed in days for each of the three categories of full investigations in Alberta. Although the relatively few incidents per category during some years affects the recorded averages, there

appeared to be a gradual increase in the time delay between gathering information and performing a search. The averages identified for Alberta were similar to those experienced in British Columbia (Plecas et al., 2005).

**Table 2.7: Average Length in Days Elapsed For Full Investigation Cases in Alberta From 1997 To 2004 \***

<b>Status of Complaint</b>	<b>File Year</b>	<b>Mean Number of Days</b>
<b>Founded</b>	1997	17
	1998	11
	1999	12
	2000	12
	2001	15
	2002	17
	2003	17
	2004	20
	<b>Overall</b>	<b>15</b>
<b>Unfounded</b>	1997	67
	1998	23
	1999	6
	2000	20
	2001	12
	2002	26
	2003	32
	2004	36
	<b>Overall</b>	<b>26</b>
<b>Founded but too late</b>	1997	63
	1998	1
	1999	1
	2000	1
	2001	2
	2002	2
	2003	11
	2004	12
	<b>Overall</b>	<b>7</b>
<b>Combined</b>	1997	20
	1998	15
	1999	10
	2000	15
	2001	17
	2002	17
	2003	19
	2004	23
	<b>Overall</b>	<b>17</b>

\* Excludes cases coming to the attention of Calgary Police Services.

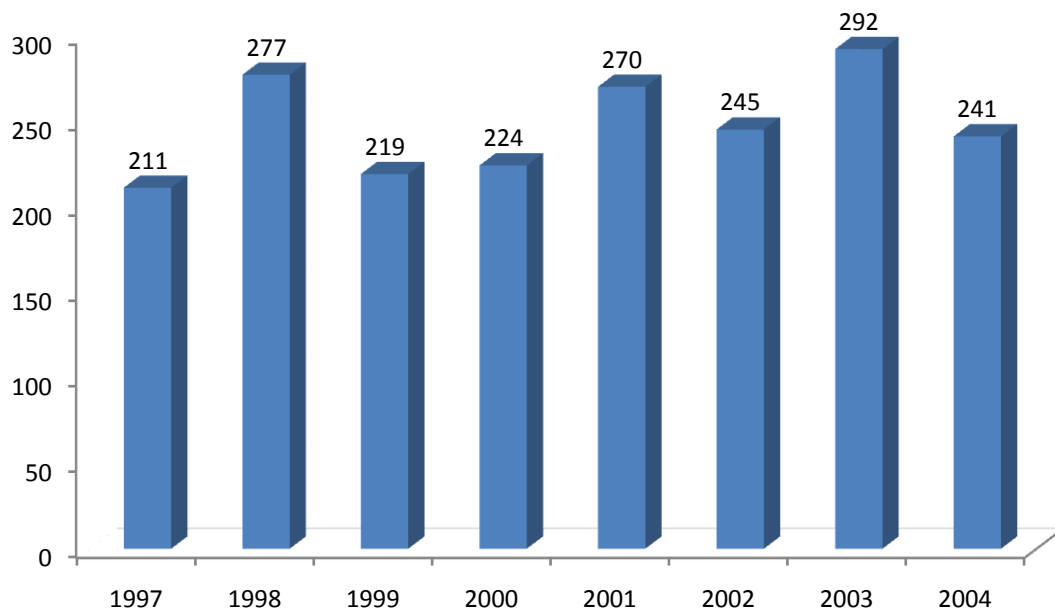
Similar to findings from British Columbia (Plecas et al., 2005), those investigations that were unfounded were on average longer than investigations that resulted in a founded case. This might suggest that a portion of the unfounded cases may have

previously been active growing operations, but the greater time delay prolonged the search until after the cultivation of marihuana was concluded.

### ***Founded Cases***

The number of confirmed marihuana growing operations in the province over the eight-year study period is a portion of those files that reached a full investigation. In total, there were 1,908 founded cases of marihuana cultivation in the province over the eight-year period and 71 cases in which concluding evidence of a growing operation existed, but the search occurred too late. The frequencies of these 1,979 founded cases in the province of Alberta over the eight years are presented in **Figure 2.2**. This graph includes those cases provided by the Calgary Police Service, which make up a large portion of the total for each year.

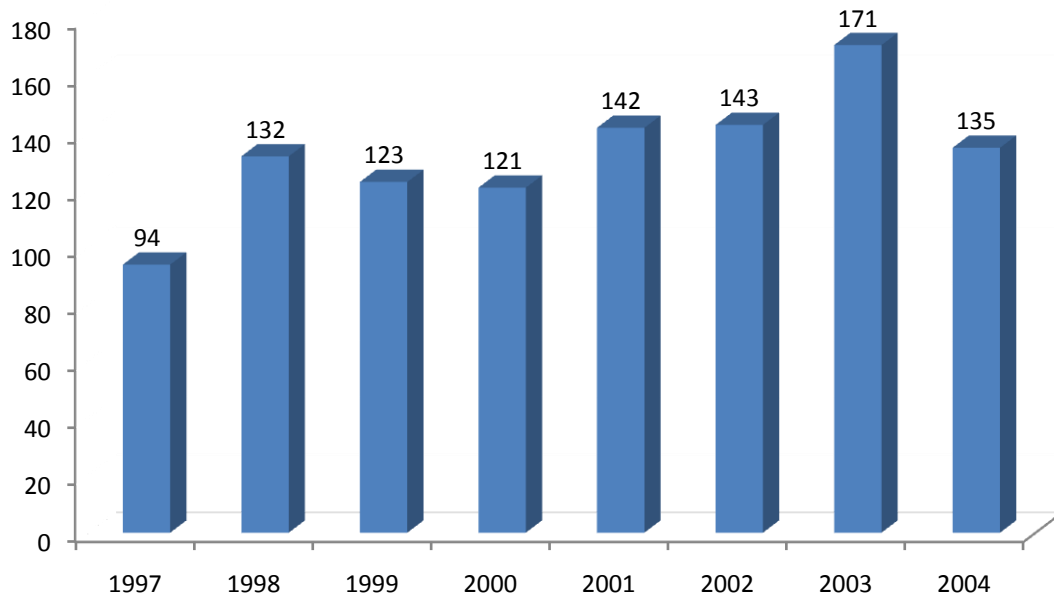
**Figure 2.2: Number of Founded Cases of Marihuana Cultivation in Alberta From January 1, 1997 To December 31, 2004**



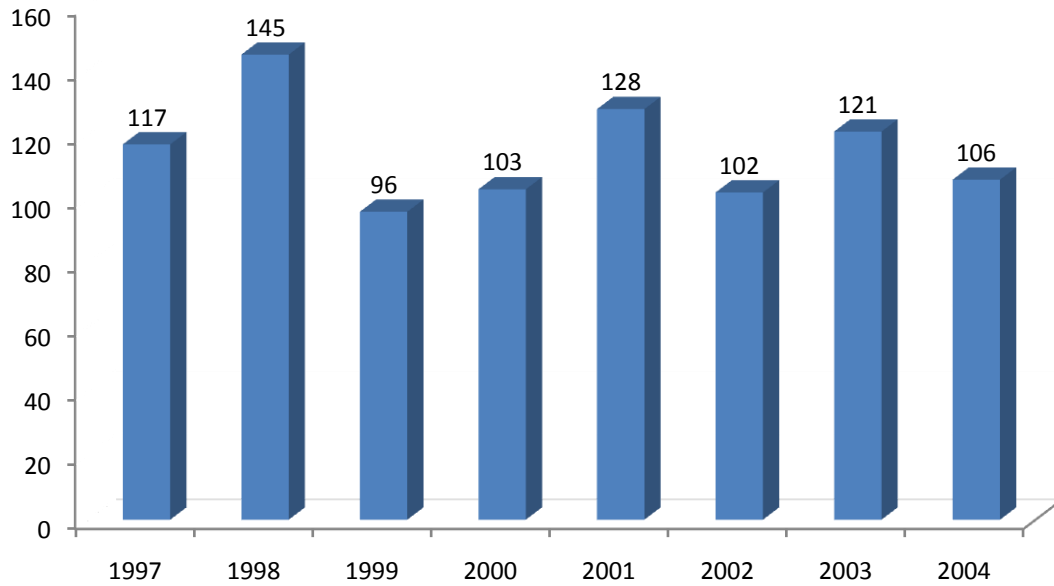
There does not appear to be a discernable trend in founded cases in the province. When the data compiled by the Calgary Police Service are separated, the remaining 1,061 founded cases show that the number of founded cases across the rest of the province is rising somewhat, while those founded cases in Calgary had an initial drop and appear to be leveling off.

**Figure 2.3** presents a bar graph of the frequency of founded cases in all jurisdictions in the province apart from Calgary, while **Figure 2.4** displays the number of founded cases in Calgary alone.

**Figure 2.3: Number of Founded Cases of Marihuana Cultivation in Alberta From January 1, 1997 To December 31, 2004 (Excluding Founded Cases Associated To The Calgary Police Service)**



**Figure 2.4: Number of Founded Cases of Marihuana Cultivation Associated to the Calgary Police Service From January 1, 1997 To December 31, 2004**



**Table 2.8** presents the 2004 data for population, frequency of founded incidents, number of founded growing operation per 1,000 people, percentage of the provincial population, and the percentage of the total number of founded cases for each jurisdiction with a population greater than 5,000. Again, by comparing jurisdictions using population data, one can determine which jurisdictions are over-represented. Calgary accounted for 44% of the total number of alleged incidents in 2004. As the population of Calgary in 2004 was approximately 30.4% of the entire population of Alberta, Calgary is over-represented in its number of founded growing operations. Edmonton accounted for 21.7% of Alberta’s population and 22% of all founded grow-ops in the province. Those jurisdictions with a number per 1,000 population higher than the provincial average of 0.08 were over-represented, while those falling below the provincial average were under-represented. Again, although many of the communities with populations less than 5,000 were over-represented, with so few cases in most of these communities, the data does not allow for a trend to be properly identified.



**Table 2.8: Founded Marihuana Cultivation Cases in 2004: Rates Per 1,000 Population For Selected Alberta Communities With Populations Larger Than 5,000**

<b>Jurisdiction</b>	<b>Population</b>	<b>Founded</b>	<b>Population Percent</b>	<b>Found Percent</b>	<b>Found 1000 per Population</b>
<b>Edmonton PS</b>	666104	53	21.7	22.0	0.08
<b>Calgary</b>	933495	106	30.4	44.0	0.11
<b>Airdrie</b>	25606	1	0.8	0.4	0.04
<b>Banff</b>	8282	1	0.3	0.4	0.12
<b>Brooks</b>	11604	1	0.4	0.4	0.09
<b>Cochrane</b>	12074	1	0.4	0.4	0.08
<b>Crowsnest Pass</b>	6262	3	0.2	1.2	0.48
<b>Drayton Valley</b>	6210	2	0.2	0.8	0.32
<b>Edson</b>	7815	1	0.3	0.4	0.13
<b>Grand Prairie</b>	40226	1	1.3	0.4	0.02
<b>Hinton</b>	9405	2	0.3	0.8	0.21
<b>Leduc</b>	15630	3	0.5	1.2	0.19
<b>Lethbridge</b>	72717	5	2.4	2.1	0.07
<b>Morinville</b>	6540	2	0.2	0.8	0.31
<b>Olds</b>	6607	1	0.2	0.4	0.15
<b>Ponoka</b>	6330	1	0.2	0.4	0.16
<b>Red Deer City</b>	72691	8	2.4	3.3	0.11
<b>Rocky Mountain House</b>	6208	4	0.2	1.7	0.64
<b>Spruce Grove</b>	17082	1	0.6	0.4	0.06
<b>St. Albert</b>	54588	2	1.8	0.8	0.04
<b>Stettler</b>	5226	1	0.2	0.4	0.19
<b>Stony Plain</b>	10544	2	0.3	0.8	0.19
<b>Strathmore</b>	8640	1	0.3	0.4	0.12
<b>Vegreville</b>	5376	1	0.2	0.4	0.19
<b>Wainwright</b>	5183	1	0.2	0.4	0.19
<b>Whitecourt</b>	8334	1	0.3	0.4	0.12
<b>ALBERTA PROVINCE</b>	3066257	241	100.00	100.00	0.08

Founded cases are those that provide the greatest insights into the true nature of marihuana growing operations in the province. The next chapter explores these founded cases in greater depth by examining a variety of characteristics and trends associated with marihuana cultivation.

## Chapter 3

### Description of Marihuana Growing Operations

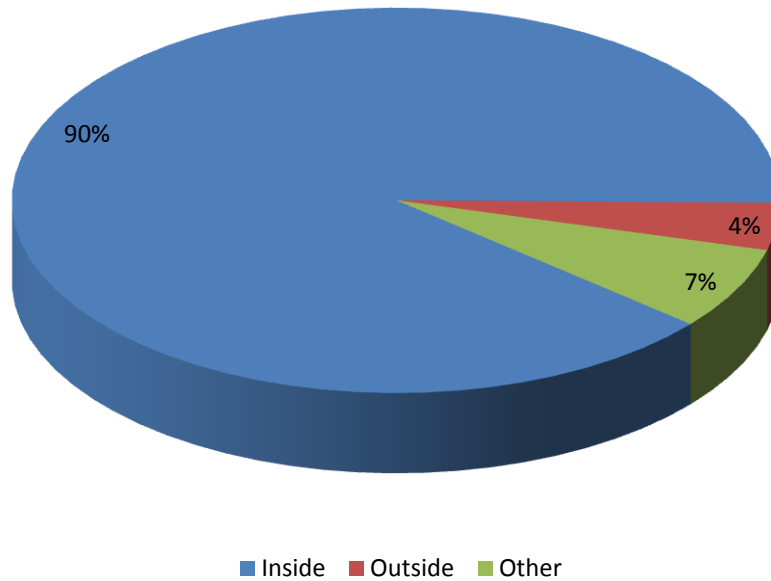
Between 1997 and 2004, police in Alberta seized over 126,000 marihuana plants and 1,018 kg of harvested marihuana. Although the extent of the problem of marihuana cultivation was not near the magnitude of that in British Columbia, marihuana growing operations present harmful consequences to those communities in which they are found. Research by Plecas et al. (2002; 2005) suggested that growing operations in British Columbia were increasing not only in size, but also in sophistication and in their potential for harm.

This chapter concentrates on the marihuana growing operations themselves, providing a more in depth look at the 1,061 cases that were founded or founded, but too late. Due to the lack of reported variables in the data provided by the Calgary police service, the 918 incidents from Calgary were not included in this analysis.

#### *Characteristics of Growing Operations*

As was the case with the studies by Plecas et al. (2002; 2005), the vast majority of cases reviewed were indoor operations. As **Figure 3.1** presents, nearly 90% of all incidents of founded cases were located indoors, 80% in single dwelling homes, and 10% in apartments. Outdoor grow locations include those found on private land (2.5%) and those found on Crown land (1.5%). It is likely that the reason for so few outdoor growing operations is the harsh winter climate and openness of the surrounding vegetation in Alberta which is less inviting for potential outdoor marihuana growers. Other locations included sheds and detached outbuildings, warehouses, vehicles, and bunkers.

**Figure 3.1: Type of Founded Marihuana Growing Operations in Alberta From 1997 - 2004 (all figures rounded)**

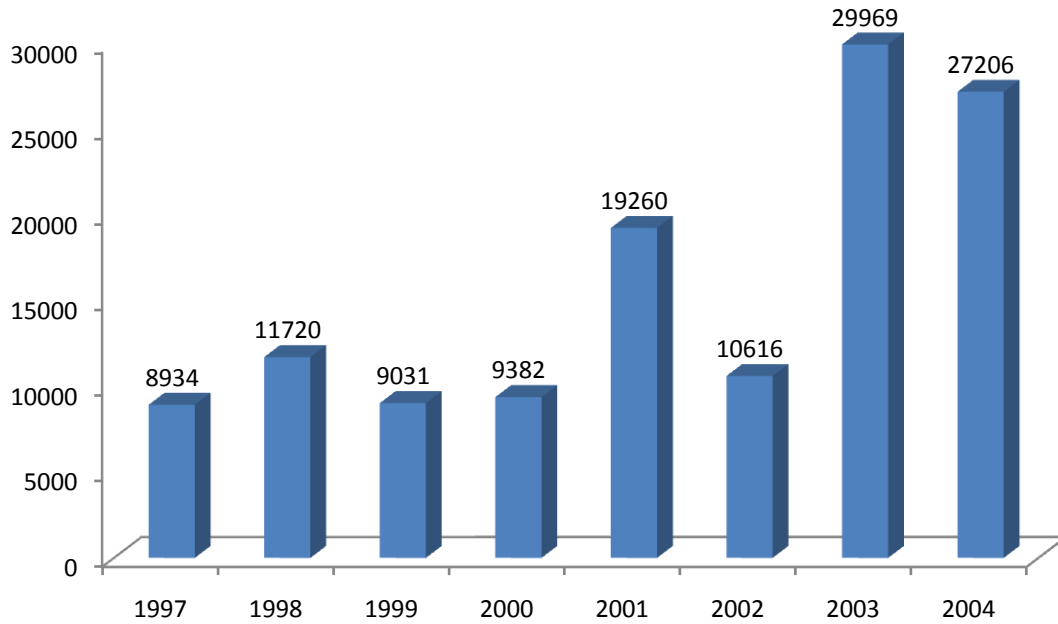


### ***The Size of Operations***

The size of marihuana growing operations was measured in two ways: in plant form (the raw number of plants) and in the form of harvested marihuana (the quantity of marihuana seized measured in kilograms). The total number of plants seized in Alberta during the eight-year study period was 126,118. In addition, a total of 1,018.40 kg of harvested marihuana was seized. Other drugs were seized during searches in approximately 8% of founded cases.

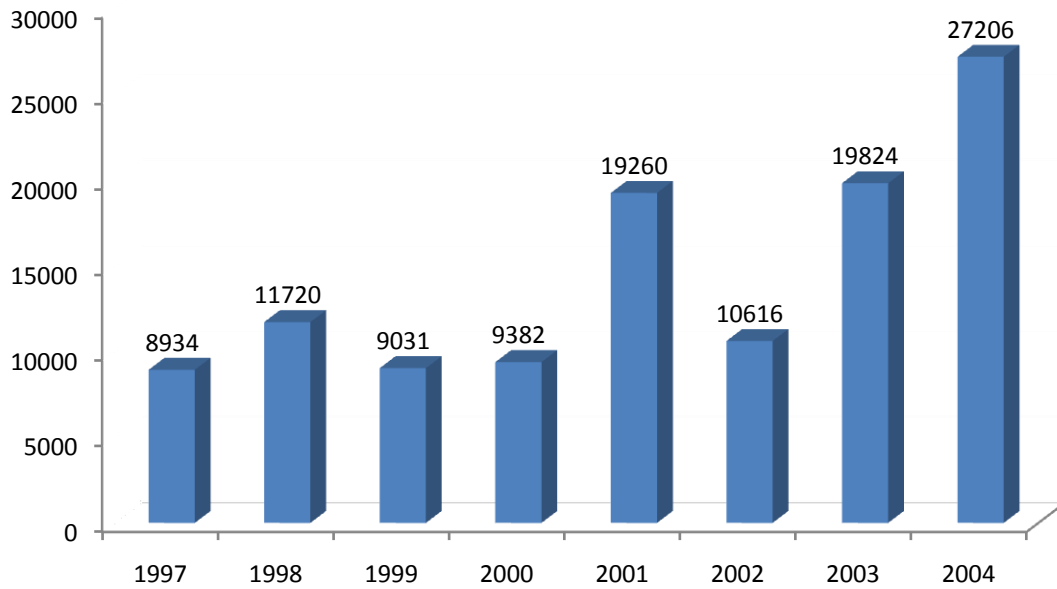
As demonstrated in **Figure 3.2**, the total number of plants seized each year rose substantially in 2003 and remained high in 2004. The previous years saw total plant seizures around 10,000, with the exception of 2001 when nearly 20,000 plants were seized. The seizures from 2003 and 2004 were both over three times the number of plants seized in 1997.

**Figure 3.2: Total Number of Plants Seized by Police From Founded Cases of Marihuana Cultivation From 1997 - 2004**



In the 930 cases where live plants were seized, the number in each case varied from the seizure of a single plant to the seizure of 10,145 plants. The extremely large seizure of 10,145 plants in 2003 had a significant effect on the total number of plants seized during that year. **Figure 3.3** displays the total number of plants seized over the eight-year period with the exclusion of the outlier from 2003.

**Figure 3.3: Total Number of Plants Seized by Police From Founded Cases of Marihuana Cultivation From 1997 - 2004 (Excluding The Outlying Case In 2003)**



Over the eight-year study period, the average seizure yielded approximately 135 plants. The average number of plants seized per operation increased from 104 plants in 1997 to 243 plants in 2004.

**Table 3.1** shows the average number of plants seized per year in Alberta where the type of location was known. There is no clear pattern in the size of marihuana plant seizures from 1997 to 2002, except that generally, locations such as barns, warehouses, bunkers, and other detached buildings, appeared to house the largest operations. However, in 2003 and 2004, there appeared to be a definite increase in the average number of plants seized from all types of locations when compared to the previous years.

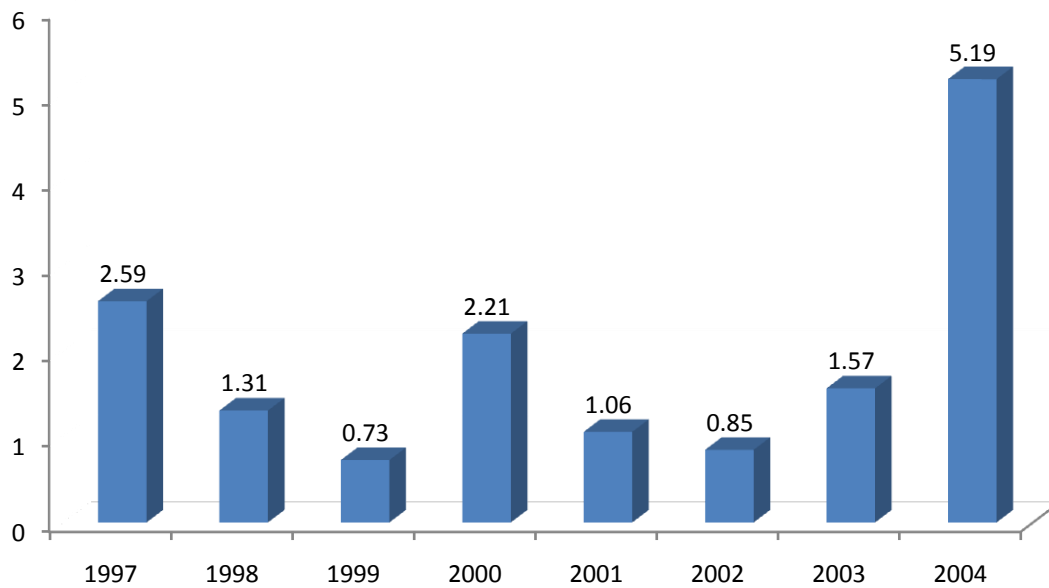
**Table 3.1: The Average Number of Plants Involved When Plants were Seized by Type of Operation in Alberta 1997 – 2004**

Location	1997	1998	1999	2000	2001	2002	2003	2004
<b>Indoor</b>	98.22	100.99	91.24	70.69	169.44	74.52	123.97	221.20
<b>Outdoor</b>	-	70.43	16.67	18.00	61.91	132.10	238.18	73.75
<b>Other</b>	202.17	168.33	54.00	310.25	120.53	143.09	712.33	784.63
<b>Total</b>	105.64	102.67	85.28	85.85	152.92	85.33	205.12	247.28

Harvested marihuana was seized in 357 of the 990 founded cases. These seizures ranged from very small “personal” amounts of a few grams of marihuana to a large seizure of 290 kilograms. The total weight and average amount of harvested marihuana seized was greatly influenced by very large single seizures. When two very large seizures were excluded from the analysis, only the year 2004 appeared to indicate a substantial increase in the average amount of harvested marihuana seized per operation.

**Figure 3.4** shows the average weight of harvested marihuana seized each year excluding one very large seizure in 2000 and another large seizure in 2004.

**Figure 3.4: The Average Weight of Harvested Marihuana Seized in Alberta From 1997 – 2004**



### ***Value of Marihuana Seized***

Since the value of marihuana is dependent on a number of factors, such as its quality, the time of year, where it is being sold, and the quantity of the sale (wholesale versus retail), it is difficult to accurately estimate the value of the confiscated marihuana. There are numerous ways of estimating the dollar value of the seized marihuana. As some plants have greater yields than others, and not all plants are seized at the same level of maturity, the quantity of harvested marihuana from seized plants must be approximated. The same estimation procedure used in Plecas et al. (2002) and Plecas et al. (2005) was used in this study. To arrive at an estimate for the total potentially marketable amount of marihuana seized, it was assumed that marihuana plants could yield approximately 100 grams per plant and that the average wholesale market value of a kilogram of marihuana is \$3,500 when the quantity sold is over one kilogram. It is important to note that this estimated value of \$3,500 per kilogram is based on estimates from British Columbia where the market for marihuana may be different than in Alberta. Using this method of estimation, the total potentially marketable quantity of marihuana seized in the eight years was 13,630.20 kilograms. At a cost of \$3,500 per kilogram, the market value of all seized marihuana from 1997 to 2004 would be approximately 47 million dollars.

### ***Growing Sophistication of Operations***

The file reviews conducted had no direct way of measuring the sophistication of the equipment used in each of the growing operation. However, variables such as the number of cases where equipment was seized, the number of high wattage lights seized, and the number of cases in which electrical bypasses were present, provided an indication of an increasing level of sophistication.

Out of the total 1,061 cases in which a growing operation was founded or founded but too late, a total of 825 cases (78 per cent) included the seizure of some type of

equipment. The percentage of cases with some equipment seized was very stable over the eight years, with the lowest percentage at 75% and the highest at 87%. An interesting finding was that 1997 had the greatest percentage of cases with equipment seizures and percentages gradually declined by 2004, which had the lowest percentage of equipment seizures. **Table 3.2** displays the yearly percentages of cases in which equipment was seized.

**Table 3.2: Equipment Seized From Cases of Marihuana Cultivation that were Founded or Founded But too Late in Alberta From 1997 - 2004**

<b>File Year</b>	<b>Founded Cases</b>	<b>Percent of Cases in which Equipment Seized</b>
<b>1997</b>	94	<b>85.1%</b>
<b>1998</b>	132	<b>81.1%</b>
<b>1999</b>	123	<b>78.9%</b>
<b>2000</b>	121	<b>81.0%</b>
<b>2001</b>	142	<b>77.5%</b>
<b>2002</b>	143	<b>75.5%</b>
<b>2003</b>	171	<b>76%</b>
<b>2004</b>	135	<b>70.4%</b>
<b>Overall</b>	1,061	<b>77.8%</b>

High wattage lights were seized in 678 (64 per cent) of the 1,061 cases. Again, the percentages of cases with lights seized remained fairly stable over the eight years, with only 2004 falling below 60%. **Table 3.3** displays the yearly percentages of cases in which high wattage lights were seized.



**Table 3.3: High Wattages Lights Seized From Cases of Marihuana Cultivation that were Founded or Founded But too Late in Alberta From 1997 – 2004**

<b>File Year</b>	<b>Founded Cases</b>	<b>Percent of Cases in which Lights Seized</b>
<b>1997</b>	94	<b>63.8%</b>
<b>1998</b>	132	<b>68.2%</b>
<b>1999</b>	123	<b>68.3%</b>
<b>2000</b>	121	<b>64.5%</b>
<b>2001</b>	142	<b>63.4%</b>
<b>2002</b>	143	<b>62.9%</b>
<b>2003</b>	171	<b>62.6%</b>
<b>2004</b>	135	<b>58.5%</b>
<b>Overall</b>	1,061	<b>63.9%</b>

The average number of high wattage lights seized per growing operation provides an indication of growth in the both size and sophistication of these operations. **Table 3.4** presents the average number of lights seized per year. It appears that the average number of lights dropped between 1997 and 2000, and then began to increase quite substantially over the next four-year period. Although 2004 had fewer cases in which lights were seized than many of the previous years, the average number of lights seized is much greater. The relatively high number of lights seized in 2003 and 2004 coincided with high average numbers of plants per seizure from indoor growing operation.

**Table 3.4: The Average Number of High Wattage Lights Seized From Cases of Marihuana Cultivation in Alberta From 1997 - 2004 \***

<b>File Year</b>	<b>N</b>	<b>Mean</b>
<b>1997</b>	60	12
<b>1998</b>	90	9
<b>1999</b>	84	9
<b>2000</b>	78	8
<b>2001</b>	90	9
<b>2002</b>	90	10
<b>2003</b>	107	119
<b>2004</b>	79	27
<b>Overall</b>	678	13

\* All figures rounded.

As one might expect, the vast majority of incidents in which lights were seized occurred indoors. Of those 678 incidents involving the seizure of high wattage lights, the facility was known in 655 cases. Of those cases, 90% occurred indoors in single dwelling houses or apartments (70% of all founded indoor growing operations), 9% occurred in locations such as detached buildings, warehouses, and bunkers (72% of all founded growing operation in these “other” locations), and 1% occurred outdoors (5% of all founded outdoor growing operations). As these growing operations required a great amount of electricity to fuel these high-power bulbs, the issue of electricity theft through electrical bypasses is of great importance, especially for indoor and other non-outdoor operations.

Sophisticated indoor marihuana growing operations require large amounts of electricity to power high wattage lights, which accelerate plant growth. In a few cases, special electric generators are used, while in others, particularly in small to medium size operations, electricity is consumed and paid for, but the operation is frequently moved to avoid detection. Operators often attempt to avoid detection as a result of their high consumption of electricity by stealing the electricity or by “diverting it”, tampering with the meter, or bypassing it altogether.

**Table 3.5** displays the frequency of electricity bypasses in the 910 founded or founded but too late incidents located in houses, apartments, detached buildings, warehouses, or bunkers. Between 1997 and 2002, the percentage of cases with electrical bypasses remained fairly stable at well below 10%. In 2003, however, the percentage increased substantially to approximately 20%. By 2004, about one third of all suitably located growing operations had an electrical bypass.

**Table 3.5: Percentage of Founded Marihuana Grow Operations with Evidence of an Electricity Bypasses in Alberta From 1997 - 2004 \***

<b>File Year</b>	<b>Percent of Founded Operations with Presence of Hydro By-Pass</b>
<b>1997</b>	3
<b>1998</b>	6
<b>1999</b>	5
<b>2000</b>	3
<b>2001</b>	5
<b>2002</b>	3
<b>2003</b>	20
<b>2004</b>	33
<b>Overall</b>	10

\* All figures rounded; n=910.

Of those 92 cases with an electrical bypass, 23 included information that approximated the amount of electricity stolen. The average estimated value of stolen electricity from these 23 cases was \$2,445.

### ***The Potential Harms Associated with Growing Operations***

Marihuana growing operations are accompanied by a variety of potentially harmful characteristics that put the community, law enforcement officers, fire fighters, and

grow operators and their families in danger. **Table 3.6** presents the frequencies of some of those hazardous characteristics in the 1,061 cases in which a growing operation was founded or founded but too late.

**Table 3.6: Hazardous Characteristics of Marihuana Growing Operation in Alberta From 1997 – 2004**

Harmful Characteristic	N (Number of Occurrences)	Percentage of all founded and founded but too late cases
Hazards (booby traps, explosives, etc.)	1	< 1%
Fire involved (house, apartment, warehouse, or detached building only)	21	2%
Firearms seized	130	12%
Other weapons	41	4%
Other drugs seized	91	9%

Of identified harms, the presence of firearms was the most common (12 per cent of founded and founded but too late cases). It is important to note that **Table 3.6** does not include additional potential hazards, such as the risk of home invasion or the presence of mold, harmful fertilizers, and other chemicals, as they were not measured in the present study. Although the presence of children was not always recorded in police files, the potential for children to be exposed to various hazards and harms is a real danger. Plecas et al. (2005) reported that nearly 21% of all founded cases in Vancouver in 2003 had children present. The percentage of cases that reported the presence of children in growing operations in Alberta was approximately 6%.

The potential harms can be present throughout the entire time that a growing operation is running and the threat of violence against police and others is real. Data was collected on the use of guard dogs to protect growing operations against trespassers. The presence of a guard dog was noted during 31 of 1,503 investigations. With approximately 15% of all growing operations that were

founded or founded but too late yielding seizures of firearms or other weapons, police and others who entered the location were put at great risk. Fortunately, however, violence at the time of arrest was very rare, as only six cases during the entire study period recorded violence during the time of arrest.

## Chapter 4

### The Suspects

Excluding suspects associated with marihuana grow operations founded by Calgary Police Services (as data was not available for analysis), there were 1,268 suspects identified in grow operations in Alberta between 1997 and 2004. As it turns out, their characteristics were remarkably similar to suspects identified in the Plecas et al. (2005) study of grow operations in British Columbia. As in the Plecas et al. (2005) study, the vast majority of suspects were found to be Caucasian males, although there has been a significant increase in recent years of suspects identified as being Oriental/Vietnamese. Beyond this trend, similar to the Plecas et al. (2005) study, the characteristics of suspects involved in grow operations remained relatively stable throughout the 1997 to 2004 periods.

The majority of suspects were male, in their mid-thirties, and had a lengthy and extensive criminal record. While the current analysis does not include Calgary suspects, the stability across jurisdictions and the time periods, with respect to both the present and Plecas et al. (2005) studies, suggested that their inclusion would not have likely changed the results reported here.

#### *Description of Suspects*

As **Table 4.1** shows, suspects were present in an average of 81% of founded grow operations in the province of Alberta. At the same time, however, there was a slight, non-significant decrease year after year, beginning in 2001. While not as substantial, this decrease was consistent with the decrease witnessed in British Columbia (Plecas et al., 2005) and may be a function of offenders being increasingly more likely to live somewhere other than the grow operation itself.

**Table 4.1: Percentage of Founded Marihuana Cultivation Operations Involving Identified Suspects and the Number of Suspects Involved in Alberta 1997-2004 \***

<b>Year</b>	<b>Percent of Operations with Identified Suspects</b>	<b>Number of Suspects Involved</b>
<b>1997</b>	91%	120
<b>1998</b>	84%	159
<b>1999</b>	85%	152
<b>2000</b>	72%	117
<b>2001</b>	82%	173
<b>2002</b>	80%	179
<b>2003</b>	79%	202
<b>2004</b>	78%	166
<b>Total</b>	81%	1,268

\* Excludes suspects coming to the attention of Calgary Police Services; all figures rounded.

As demonstrated in **Table 4.2**, the average number of suspects present in each case remained relatively stable from 1997 through 2004, and is consistent with the pattern in British Columbia.

**Table 4.2: Average Number of Suspects Involved per Case for Alberta and British Columbia 1997-2003 \***

<b>Year</b>	<b>Average Number in Alberta</b>	<b>Average Number in British Columbia</b>
<b>1997</b>	1.8	2.1
<b>1998</b>	1.9	2.1
<b>1999</b>	1.9	2.3
<b>2000</b>	1.6	2.3
<b>2001</b>	2.1	1.9
<b>2002</b>	2.0	2.0
<b>2003</b>	2.0	2.1
<b>2004</b>	2.2	- **
<b>Total</b>	2.0	2.1

\* Excludes suspects coming to the attention of Calgary Police Services.

\*\* 2004 data not collected for British Columbia.

In terms of background characteristics, it can be seen from **Table 4.3** that, with one exception, the population of offenders hardly changed over the 1997 to 2004 period. Specifically, and consistent with the Plecas et al. (2005) study, the average age remained around the eight-year average of 36 years old, the percentage of offenders who were female remained around the average of 21%, and the percentage of youth

under the age of 18 remained extremely small, around the average of 1%. The sole exception was with respect to the involvement of Oriental/Vietnamese suspects. As Table 4.3 indicates, and similar to the Plecas et al. (2005) study, the involvement of Oriental/Vietnamese suspects has increased substantially. The involvement of other minority groups remained relatively rare at an average of 6% over the 1997 to 2004 period.

**Table 4.3: Gender, Age, and Ethnic Groups of Suspects Involved in Marihuana Cultivation Operations with Suspects Present in Alberta 1997-2003 \***

Characteristics	1997	1998	1999	2000	2001	2002	2003	2004	Total
Percent female	17	21	22	24	20	18	24	23	21
Percent under 18 years	2	1	1	1	4	1	2	0	1
Average age	34	36	34	38	35	35	39	36	36
Percent Oriental / Vietnamese Origin	0	1	3	1	4	11	26	52	14
Percent of other minorities	5	6	5	10	6	5	3	6	6

\* Excludes suspects coming to the attention of Calgary Police Services; all figures rounded.

### ***Criminal History of Suspects***

Just over half of all suspects (57 per cent) involved in marihuana grow operations in Alberta had a criminal record. At the same time, however, there was a significant difference between Caucasian and Oriental/Vietnamese in this regard. Specifically, as **Table 4.4** shows, 62% of Caucasians had a criminal record, while just 19% of Oriental/Vietnamese suspects did. A possible reason for this difference may be that, as police authorities have suggested, Vietnamese gangs commonly recruit non-criminals from the community to simply tend to and/or harvest their crops. In any case, it is clear that those who did have a criminal record, including Oriental/Vietnamese offenders, had very significant ones.



**Table 4.4: Marihuana Cultivation Cases in Alberta 1997-2004: Percent of Suspects With a Confirmed Prior Criminal Conviction \***

Category of Suspects	Percent of Suspects with at least one Prior Criminal Conviction
Caucasian	61%
Other minority groups, excluding Oriental/Vietnamese	62%
Oriental/Vietnamese	19%
All Suspects	57%

\* Excludes suspects coming to the attention of Calgary Police Services; all figures rounded.

As **Table 4.5** shows, the average criminal history was 15 years long and included eight prior convictions. Further, 54% of suspects had at least one prior conviction for drugs, 52% had criminal convictions relating to driving offences, 31% had at least one prior conviction for violence, and the same percentage had one or more convictions while under sentence for another crime.

**Table 4.5: Criminal Histories of Suspects Involved in Marihuana Cultivation Operations in Alberta And British Columbia 1997-2004 \***

Characteristics of Suspects' Criminal Record Considered	Alberta Suspects	British Columbia Suspects
Average length of criminal history	15 years	13 years
Average number of prior convictions	8	7
Percent with prior drug convictions	54%	57%
Percent with violent offence conviction	31%	41%
Percent with driving offence convictions	52%	**
Average number of jurisdictions where suspect has been convicted	2.1	2.3
Percent with convictions obtained while under sentence for another crime	31%	**

\* Excludes suspects coming to the attention of Calgary Police Services; all figures rounded; British Columbia data based on 1997-2003 period.

\*\* Data not collected on British Columbia suspects.

Another way to consider the nature of the criminal records of suspects involved in marihuana grow operations is to examine the extent to which suspects were prolific offenders. The researchers considered an offender to be prolific if he or she had ten convictions over the length of their criminal career, and “super prolific” if he or she had 30 or more convictions. From this perspective, 24% of suspects would be considered prolific offenders. **Table 4.6** compares non-prolific and prolific

offenders to highlight the important differences between these groups. Needless to say, prolific offenders should be responded to in a more serious way than non-prolific suspects.

**Table 4.6: Criminal History Characteristics of Suspects Involved in Marihuana Cultivation Operations in Alberta 1997-2004 By Prolific Offender Classification \***

<b>Characteristics of Suspects' Criminal Record Considered</b>	<b>Non-Prolific Suspect</b>	<b>Prolific Suspect</b>
	<b>14 years</b>	<b>20 years</b>
<b>Length of criminal history</b>		
<b>Average number of prior convictions</b>	4	19
<b>Percent with prior drug convictions</b>	48%	70%
<b>Percent with prior violent convictions</b>	22%	57%
<b>Percent with prior driving convictions</b>	48%	67%
<b>Percent with prior weapons convictions</b>	10%	33%
<b>Average non-compliance rate **</b>	5%	23%
<b>Average number of jurisdictions where suspect has been convicted</b>	2	4
<b>Average sentence rate ***</b>	69	25
<b>Number of plants associated to the grow operation in which they were involved</b>	166	216

\* Excludes suspects coming to the attention of Calgary Police Services; all figures rounded.

\*\* Refers to the percentage of time offender fails to complete sentence without being convicted of another offence.

\*\*\* Refers to the average number of months between appearances for sentencing.

## Chapter 5

### Action Taken

This chapter reports on the response of the police and courts in Alberta to marihuana grow operations over the eight-year study period. Data on searches and seizures of growing operations, police charging of suspects, and court dispositions are discussed in order to better understand the way in which the system reacted to marihuana grow operations. Once again, detailed data respecting grow operations within the jurisdiction of the Calgary Police Service was not available to the researchers, and thus the results reported relate to the province of Alberta, excluding Calgary. That said, given the nature of the findings, the researchers are confident that the inclusion of those cases would not significantly change what can be said about Alberta in general.

#### *Searches and Seizures*

Not all search and seizures of marihuana growing operations had the same results. In many cases, suspects were not present at the time of the search and this increased the difficulty of moving forward with charges against those responsible. However, even when suspects were present at the time of a search, for one reason or another, it was not always the case that police pressed charges (see Plecas et al, 2005). In such cases, which are referred to as “no case” seizures, no further action was taken against any suspects involved. In the seven-year review of grow operations in British Columbia, more than half of all founded grow operations between 1997 and 2003 were treated as no case seizures. Even when suspects were present, in 35% of cases, the incident was treated as a no case seizure (Plecas et al, 2005).

In Alberta, it was no surprise that the vast majority of cases where no suspects were present were treated as no case seizures (see **Table 5.1**). In actuality, however, the

likelihood of a grow operation being treated as a no case seizure in Alberta when suspects were present was very small. Indeed, as Table 5.1 indicates, this outcome occurred only 3% of the time. This small percentage was particularly interesting when considered against the fact, as already noted, that grow operations with suspects present in British Columbia were treated as no case seizures 35% of the time (see **Table 5.2**). Overall, and considering both with and without suspect incidents, founded grow operations in British Columbia resulted as no case seizures 54% of the time, while, in Alberta, they were treated as no case seizures just 16% of the time (see **Table 5.2**). Considering the most recently comparable year (i.e. 2003), 64% of all founded grow operations in British Columbia were treated as no case seizures, while only 20% of founded cases were treated this way in Alberta (see **Table 5.2**).

**Table 5.1: Percentage of Founded Marihuana Grow Operations Classified as "No Case" Seizures in Alberta 1997-2004 \***

<b>Year</b>	<b>Instances where no suspects present</b>	<b>Instances where suspect(s) present</b>	<b>Percent of all founded cases</b>
<b>1997</b>	38%	2%	6%
<b>1998</b>	72%	3%	13%
<b>1999</b>	71%	3%	13%
<b>2000</b>	75%	2%	23%
<b>2001</b>	78%	1%	15%
<b>2002</b>	58%	1%	13%
<b>2003</b>	81%	4%	20%
<b>2004</b>	82%	6%	23%
<b>Total</b>	<b>73%</b>	<b>3%</b>	<b>16%</b>

\* All figures rounded.

**Table 5.2: Percentage of Founded Marihuana Grow Operations Classified as "No Case" Seizures 1997-2004 (Alberta compared to British Columbia) \***

Year	Instances where a Suspect was Identified		All Founded Cases	
	Alberta	British Columbia	Alberta	British Columbia
1997	2%	23%	6%	35%
1998	3%	36%	13%	50%
1999	3%	30%	13%	43%
2000	2%	34%	23%	48%
2001	1%	38%	15%	62%
2002	1%	45%	13%	66%
2003	4%	42%	20%	64%
2004	6%	**	23%	**
<b>Total</b>	<b>3%</b>	<b>35%</b>	<b>16%</b>	<b>54%</b>

\* All figures rounded.

\*\* Data not available.

## *Charges*

The differences between Alberta and British Columbia were also apparent with respect to the matter of whether or not charges were laid in cases not classified as no case seizures. Specifically, as **Table 5.3** shows, in Alberta, charges were virtually always laid (i.e. 99% of the time). In British Columbia, however, the percentage of cases not classified as no case seizures where charges were laid dropped from 96% of cases in 1997 to 76% in 2003. Because British Columbia had so many more founded grows than Alberta, British Columbia had substantially more suspects overall (see **Figure 5.1**). However, when considering the number of suspects charged relative to the number of founded grows in each province, and taking into account the combined effect of charging and no case seizure patterns, it was apparent that the likelihood of a suspect being charged as a result of involvement in a founded grow operation was substantially higher in Alberta. For example, in British Columbia during 2003, 798 suspects were charged in relation to 2,030 founded grow operations involving a marihuana seizure; that is one suspect being charged for every 2.5 founded grow operations. In Alberta, during 2003, a total of 164 suspects were charged in connection to founded grow operations involving a

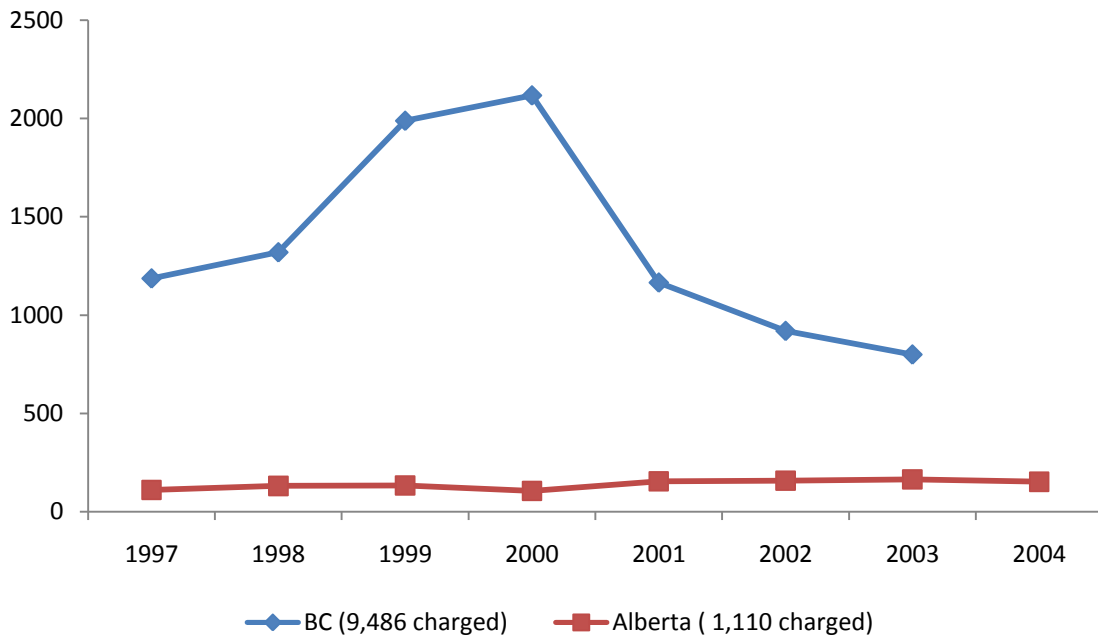
marihuana seizure; that is 1.2 suspects being charged on average per founded operation, a likelihood three times higher than in British Columbia.

**Table 5.3: Percentage of Founded Cases that were Not Classified as "No Case" Where Charges were Laid in Alberta 1997-2004\***

Year	Percent of Cases where Charges were laid (n = 762)	Percent of Suspects Present who were Charged (n = 1,268)
1997	100%	93%
1998	99%	82%
1999	99%	88%
2000	100%	91%
2001	98%	90%
2002	100%	88%
2003	98%	81%
2004	99%	92%
<b>Total</b>	<b>99%</b>	<b>88%</b>

\* All figures rounded.

**Figure 5.1: Number of Suspects Charged in Alberta 1997-2004 Compared to British Columbia**



In terms of the type of charges faced by suspects in Alberta, as might be expected, the vast majority (i.e. 92%) were charged with production (s.7 *Controlled Drugs and Substances Act, CDSA*), and a very large majority (i.e. 67%) were also charged with possession for the purpose of trafficking (s.5 *CDSA*) (see **Table 5.4**). Beyond that, it was not uncommon for suspects to also be charged with simple possession (s.4 *CDSA*), theft of electricity (s.326 *Criminal Code of Canada, C.C.C.*), firearms offences (ss.84-96 *C.C.C.*), and/or other criminal code offences (see **Table 5.4**).

**Table 5.4: Percentage of Charged Suspects by Type of Charge: Marihuana Grow Operations in Alberta 1997-2004 \***

Charge	Percent of Suspects Charged with Offence	Percent of Suspects Charged in Addition to Production Charge
<b>Production</b>	92%	-
<b>Possession for the purpose of trafficking</b>	70%	67%
<b>Simple possession</b>	25%	20%
<b>Theft of electricity</b>	9%	8%
<b>Firearms offence</b>	10%	9%
<b>Other Criminal Code</b>	15%	12%

\* All figures rounded.

Overall, as **Table 5.5** indicates, 83% of suspects facing charges faced more than one charge and 30% faced at least three charges relating to the incident with which they were involved.

**Table 5.5: Number of Charges Faced by Suspects in Marihuana Grow Operation Cases in Alberta 1997-2004 \***

Number of Charges	% of Suspects facing that Number
<b>One charge</b>	17%
<b>Two charges</b>	54%
<b>Three charges</b>	23%
<b>Four charges</b>	6%
<b>Five charges</b>	1%

\* All figures rounded.

## ***Dispositions***

Even where charges were laid, there was the possibility that charges would be stayed for one reason or another. The gender of the suspect, for example, seemed to make a difference. Specifically, in Alberta, 19% of male suspects saw all charges against them stayed compared to 60% of female suspects. This pattern was consistent with stays in British Columbia where twice as many female suspects compared to male suspects were likely to have all of their charges stayed (Plecas et al, 2005). Whether or not a case was stayed in Alberta also appeared to be a function of the plea bargaining process in cases of multiple offenders associated with a single case. It appeared that a stay may have been part of a plea process in which one suspect provided police information against their co-accused in exchange for the stay. At least that possibility is consistent with the figures in **Table 5.6** which indicate that while 27% of suspects overall had the charges against them stayed, only 9% of lone suspects were likely to have all charges against them stayed. In any case, it is interesting to see again that Alberta and British Columbia differ in terms of the extent to which all charges against suspects overall were likely to be dropped. Specifically, while 27% of suspects in Alberta were likely to have all charges against them stayed, in British Columbia, 44% of suspects saw all charges against them stayed.

**Table 5.6: Percentage of Suspects Where Charges Were Stayed in Marihuana Grow Operations in Alberta 1997-2004 \***

<b>Year</b>	<b>Percent of Suspects Having all Charges Stayed</b>	<b>Percent of Lone Suspects Having all Charges Stayed</b>
<b>1997</b>	20	10
<b>1998</b>	15	2
<b>1999</b>	31	6
<b>2000</b>	24	2
<b>2001</b>	23	5
<b>2002</b>	25	5
<b>2003</b>	35	23
<b>2004</b>	36	18
<b>Total</b>	<b>27</b>	<b>9</b>

\* All figures rounded.



Where suspects did not have all of their charges stayed, it was almost certain that they would be found guilty. Specifically, as **Table 5.7** shows, 98% of such suspects were found guilty. Moreover, over one-third of them were found guilty on more than one charge.

**Table 5.7: Percentage of Suspects Found Guilty Among Cases in Which Charges were Dealt With by Count \***

<b>Year</b>	<b>Percent Guilty on 1 Charge</b>	<b>Percent Guilty on 2 Charges</b>	<b>Percent Guilty on 3 Charges</b>	<b>Percent Guilty on 4 Charges</b>	<b>Total Percent Guilty</b>
<b>1997</b>	38%	56%	5%	0%	<b>99%</b>
<b>1998</b>	56%	37%	3%	1%	<b>97%</b>
<b>1999</b>	67%	28%	4%	0%	<b>99%</b>
<b>2000</b>	61%	30%	3%	3%	<b>96%</b>
<b>2001</b>	74%	21%	4%	0%	<b>98%</b>
<b>2002</b>	67%	28%	4%	1%	<b>99%</b>
<b>2003</b>	73%	20%	3%	1%	<b>97%</b>
<b>2004</b>	71%	25%	3%	0%	<b>99%</b>
<b>Total</b>	<b>64%</b>	<b>30%</b>	<b>4%</b>	<b>1%</b>	<b>98%</b>

\* All figures rounded.

## Chapter 6

### Sentencing

The patterns of sentencing that emerged in relation to marihuana cultivation operations were difficult to accurately interpret. This difficulty was due to a number of complicating factors. The first of these factors, as discussed in Plecas et al. (2002; 2005), involved suspects who were accused in relation to their involvement in a marihuana cultivation operation and charged with multiple offences. The initial charges usually included a marihuana production charge (92% of cases), and a possession for the purpose of trafficking charge (70% of cases). As mentioned above, other charges often included with marihuana growing operations were simple possession of marihuana, the possession of other controlled substances, theft of electricity, firearm related offences, and various other *Criminal Code* offences. The second difficulty emerged because suspects frequently pled guilty to one or more charges, not necessarily the drug production charge, based on an agreement with the Crown. Consequently, some offenders were convicted of only one of the offences that they had originally been charged with, while others were convicted of two or three charges relating to the same marihuana cultivation operation. Another difficulty occurred because convicted offenders often received multiple dispositions for the various related charges. The final difficulty involved an offender being sentenced to several dispositions for different charges; these sentences could be ordered to be served either concurrently or consecutively. Despite these difficulties, this chapter makes an effort to clarify the patterns of sentencing involved with marihuana growing operations in Alberta from 1997 to 2004.

#### ***Type and Severity of Penalty Imposed***

As shown in **Table 6.1**, the percentage of offenders who received a prison term for a conviction associated with their involvement in a grow operation in Alberta dropped steadily from 1997 through 2002, after which it appeared to have leveled off. Conversely, the percentage of offenders who received a conditional sentence

generally increased steadily from 6% in 1997 to 52% in 2004. Likewise, the percentage of offenders who received a prohibition order increased significantly from 4% in 1997 to 65% in 2004. There was no clear pattern to the percentage of offenders who received either fines or periods or probation, which were awarded 46% of the time and 16% of the time respectively between 1997 and 2004.

**Table 6.1: Percentage of Offenders Who Received Selected Penalties as Part of a Sentence for Convictions Associated with their Involvement in a Marihuana Grow Operation in Alberta, 1997-2004 \***

<b>Year</b>	<b>Prison</b>	<b>Conditional Sentence</b>	<b>Probation</b>	<b>Fine</b>	<b>Firearms Prohibition</b>
<b>1997</b>	59%	6%	29%	51%	4%
<b>1998</b>	51%	17%	16%	51%	8%
<b>1999</b>	47%	9%	20%	49%	21%
<b>2000</b>	42%	28%	20%	42%	46%
<b>2001</b>	32%	28%	13%	48%	59%
<b>2002</b>	18%	39%	11%	45%	51%
<b>2003</b>	20%	41%	14%	52%	51%
<b>2004</b>	21%	52%	7%	28%	65%
<b>Total</b>	<b>36%</b>	<b>27%</b>	<b>16%</b>	<b>46%</b>	<b>39%</b>

\* Excludes offenders coming to the attention of Calgary Police Services; all figures rounded; Conditional discharges which were awarded 4 times from 1997-2004 and community service orders which were awarded 10 times over that period are not listed.

Again, comparisons are difficult to interpret with respect to sentencing practices, but it is interesting that, while courts in both Alberta and British Columbia imposed penalties of imprisonment in a decreasing fashion over the 1997 to 2004 period, courts in Alberta consistently awarded it at least twice as often (see **Table 6.2**). Beyond the issue of imprisonment as a penalty, there were few differences between Alberta and British Columbia, excepting that probation was less likely to be used in Alberta (see **Table 6.3**).

**Table 6.2: Percentage of Offenders Who Received a Term of Imprisonment as Part of a Sentence for Convictions Associated with Their Involvement in a Marihuana Grow Operation, 1997-2004 (Alberta and British Columbia) \***

<b>Year</b>	<b>Percent of Offenders Receiving Prison in Alberta</b>	<b>Percent of Offenders Receiving Prison in British Columbia</b>
<b>1997</b>	59%	19%
<b>1998</b>	51%	17%
<b>1999</b>	47%	19%
<b>2000</b>	42%	18%
<b>2001</b>	32%	10%
<b>2002</b>	18%	9%
<b>2003</b>	20%	10%
<b>2004</b>	21%	**
<b>Total</b>	<b>36%</b>	<b>16%</b>

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

\*\* Data not available.

**Table 6.3: Percentage of Offenders Who Received a Term of Probation as Part of a Sentence for Convictions Associated with their Involvement in a Marihuana Grow Operation, 1997-2004 \***

<b>Year</b>	<b>Percent of Offenders Receiving Probation in Alberta</b>	<b>Percent of Offenders Receiving Probation in British Columbia</b>
<b>1997</b>	29%	28%
<b>1998</b>	16%	27%
<b>1999</b>	26%	25%
<b>2000</b>	26%	23%
<b>2001</b>	13%	25%
<b>2002</b>	11%	18%
<b>2003</b>	14%	22%
<b>2004</b>	7%	**
<b>Total</b>	<b>16%</b>	<b>25%</b>

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

\*\* Data not available.

**Table 6.4** and **Table 6.5** show the severity of sentences imposed for convictions relating to production and possession for the purpose of trafficking respectively to

offenders involved in grow operations in Alberta. As was found in British Columbia, the severity of penalties involving prison, conditional prison sentences, probation, and fines remained relatively stable over the 1997 to 2003 time period (see Plecas et al., 2005). Interestingly, as demonstrated in **Table 6.6**, in terms of both prison and conditional prison sentences, the severity of penalties imposed in Alberta was noticeably greater than in British Columbia.

**Table 6.4: Severity of Selected Penalties Imposed in Convictions for Production (C.D.S.A. s.7) Associated with Marihuana Grow Operations in Alberta 1997-2004 \***

Year	Average number of months in prison	Average number of months of conditional prison	Average number of months probation	Average amount of fines
1997	8	9	12	\$1,980
1998	8	13	15	\$1,820
1999	9	9	13	\$2,058
2000	7	12	14	\$1,977
2001	7	14	12	\$2,115
2002	12	13	16	\$1,766
2003	7	14	12	\$1,798
2004	14	14	11	\$2,178
<b>Total</b>	<b>8</b>	<b>13</b>	<b>13</b>	<b>\$1,940</b>

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

**Table 6.5: Severity of Selected Penalties Imposed for Conviction for Possession for the Purpose of Trafficking (C.D.S.A. s.5) Associated with Marihuana Grow Operations in Alberta 1997-2004 \***

Year	Average number of months in prison	Average number of months of conditional prison	Average number of months probation	Average amount of fines
1997	8	0	11	\$1,622
1998	11	15	17	\$2,325
1999	14	10	11	\$200
2000	11	13	9	\$1,250
2001	7	13	10	\$2,820
2002	22	16	-	\$1,275
2003	16	16	12	\$633
2004	9	16	-	\$5,750
<b>Total</b>	<b>11</b>	<b>15</b>	<b>12</b>	<b>\$1,877</b>

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

**Table 6.6: Severity of Selected Penalties Imposed in Convictions for Production (C.D.S.A. s.7) Associated with Marihuana Grow Operations in Alberta And British Columbia 1997-2004 \***

Type of Disposition	Severity Imposed in Alberta	Severity Imposed in British Columbia **
<b>Prison (average months)</b>	8	5
<b>Conditional prison (average months)</b>	13	8
<b>Probation (average months)</b>	13	13
<b>Fine (average \$ amount)</b>	1,940	2,218

\* Excludes cases coming to the attention of Calgary Police Services; all figures rounded.

\*\* Data for 2004 for British Columbia not included.

### ***Severity of Penalty and Offenders' Criminal History***

One of the factors related to the severity of the penalty imposed by Alberta courts was the prior criminal history of the offender. In this regard, as can be seen by the figures in **Table 6.7**, offenders with previous drug convictions not only were more likely to receive a prison sentence, the amount of prison time awarded increases with the extensiveness of the offender's history of drug convictions. The criminal history of offenders appeared to affect not only the likelihood that an offender would receive a prison term, but how much prison time an offender would receive. As indicated by **Table 6.7**, and as would be expected, first-time offenders were the least likely to receive a prison term, while prolific offenders were the most likely. Further, first-time offenders received the shortest prison terms, while prolific offenders received the longest. Indeed, offenders involved in grow operations in Alberta who had no criminal history received, on average, 6 months prison time when a prison sentence was imposed, while those with one prior drug conviction received, on average, 10 months, and those with multiple convictions received, on average, 14 months (see **Table 6.7**).

**Table 6.7: Percentage of Offenders who Received a Prison Term for Marihuana Production (C.D.S.A. s.7) and Average Length of Prison Term by Offenders' Criminal History \* \*\***

Characteristics of Criminal History	Percent of Offenders Awarded Prison	Average Length of Prison Term (in months)	Amount of Plants Involved
<i>Drug History</i>			
No previous history	31%	6	124
One prior drug conviction	37%	10	236
Multiple drug convictions	50%	14	243
<i>Prolific Offender Group</i>			
First offender	24%	7	111
Non-prolific	41%	9	173
Prolific	44%	12	263

\* Excludes instances involving cases coming to the attention of Calgary Police Services; all figures rounded.

\*\* Includes only Caucasian suspects, due to significant differences in size of grow operations and criminal histories between this group of offenders and others. Oriental/Vietnamese suspects, for example, on average were involved in 564-plant operations, other minorities were involved in 92-plant operations, and Caucasian suspects were involved in 186-plant operations

Once again, the results with respect to the sentencing of offenders involved in grow operations in Alberta is interesting when compared to British Columbia. Specifically, while Plecas et al. (2005) found that offenders' likelihood of receiving a prison sentence increased with the extensiveness of their drug history and criminal history in general in British Columbia, unlike the present study, Plecas et al. (2005) did not find that the length of prison terms awarded increased with either the extensiveness of an offender's drug history or criminal history in general.

Another factor which deserved consideration, especially in view of the fact that an offender's drug and criminal history were related to the size of marihuana grow operations that they were found to be associated with (see **Table 6.7**), was the degree to which the severity of penalty imposed on offenders was influenced by the number of plants involved. As it turns out, **Table 6.8** shows when (as an example) the differences between sentencing with respect to grow operations of less than 100 plants was compared to those involving 100 plants or more, regardless of the extent of their drug history or criminal history overall, generally speaking, offenders involved in large operations were not only more likely to receive a prison term, but the term was likely to be much longer. All things considered, it would seem that Alberta courts take into account the offender's drug history, criminal history, and

the size of the associated marihuana grow operation in determining whether or not to impose a prison term, and in deciding the length of the prison term. While Plecas et al. (2005) found this to be the case with respect to whether or not an offender was sentenced to custody in British Columbia, they did not find it to be the case with respect to the length of the prison sentence.

**Table 6.8: Percentage of Offenders Sentenced to a Prison Term and Average Length of Prison Term for a Conviction for Production (C.D.S.A. s.7) by Size of the Marihuana Grow Operations in 1997-2004 \* \*\***

Characteristics of Criminal History	Cases involving less than 100 plants		Cases involving 100 plants or more	
	Percent of Offenders Sentenced to a Prison Term	Average Length of Prison Term (in months)	Percent of Offenders Sentenced to a Prison Term	Average Length of Prison Term (in months)
<i>Drug History</i>				
No previous history	25%	3	48%	10
One prior drug conviction	26%	7	74%	14
Multiple drug convictions	48%	12	54%	19
<i>Prolific Offender Group</i>				
First offender	18%	3	48%	10
Non-prolific	34%	6	58%	14
Prolific	45%	13	47%	12

\* Excludes instances involving cases coming to the attention of the Calgary Police Services; all figures rounded.

\*\* Includes only Caucasian suspects due to significant differences in size of grow operations and criminal histories between this group of offenders and others. Oriental/Vietnamese suspects on average were involved in 564-plant operations, other minorities were involved in 92-plant operations, and Caucasian suspects were involved in 186-plant operations.



## References

Plecas, D., Dandurand, Y., Chin, V., & Segger, T. (2002). *Marihuana Growing Operations in British Columbia: An Empirical Survey (1997-2000)*. Abbotsford: University College of the Fraser Valley.

Plecas, D., Malm, A., & Kinney, B. (2005). *Marihuana Growing Operations in British Columbia Revisited: 1997-2003*. Abbotsford: University College of the Fraser Valley.

Statistics Canada, Canadian Centre for Justice Statistics. (2004). *Canadian Crime Statistics 2003*. Ottawa: Statistics Canada, December 2004. Catalogue no. 85-205-XIE.

# Appendices

## Appendix 1

### INCIDENT FORM - Trafficking

Var. #	Code	Variable Description and Values
1		ID # (Use assigned numbers)
2		File Year (1=1997, 2=1998, 3=1999, 4=2000)
3		File Number
4		Police Force/Detachment (Use code sheet)
5		Street Number
6	Street Name:	
7	- -	Date offence reported (dd-mm-yy)
8	- -	Date offence attended (dd-mm-yy)
9		Time elapsed (days)
10		Source of complaint
11		Status of complaint (1=founded, 2=unfounded, 3=no action, 4=other, 5= founded but too late)
14		Number of marihuana plants seized
15		Number of kg of marihuana seized
16		Other drugs seized (0=none, 1=cocaine, 2=heroin, 3=other)
17		Firearms seized (0=none, 1=prohibited, 2=restricted, 3=other, 4=mix)
18		Other weapons seized (1=yes, 0=no)
21		Amount of cash seized (Nearest C\$, 1US\$=1.5C\$)
28		Use of violence at time of arrest (1=yes, 0=no)
29		Type of seizure (1=case, 2=no case)
30	- -	Date of report to the Crown (dd-mm-yy)
31		Charges laid by Crown (1=yes, 0=no)
32		Number of suspects
33	1	Trafficking case

Source of Complaint
1 = crime stoppers/informant
2 = routine check
3 = serving a warrant
4 = landlord
5 = other crime
6 = general investigation
7 = BC Hydro
8 = other
9 = missing
10= neighbour
11=traffic violation/incident

Conversions
1000 gm = 1 kg
28 gm = 1 oz
450 gm = 1 lb.

#### REMARKS

	ORIGIN OF DRUGS:
	DESTINATION OF DRUGS:

## Appendix 2

### SUSPECT SHEET

ID# \_\_\_\_\_

Number	Code	Variables Description and Values
1		Surname:
2		First given name:
3		Second given name:
4		Number of aliases
5	- -	D.O.B. (dd-mm-yy)
6		Place of birth (town/city)
7		Gender (1=male, 2=female)
8		Ethnicity
9		Citizenship (1=Canadian, 2= Other)
10		<b>FPS Number</b>
	11	<b>Production charge - CDSA s.(7)</b> (1= charged, 2=stay, 3=not guilty, 4=guilty), 5= warrant before charge, 6= warrant after charge
	12	Prison (No. of months)
	13	Conditional Prison (No. of months)
	14	Probation (No. of months)
	15	Fine (\$ amount)
	16	Community service order (No. of hours)
	17	Restitution (\$ amount)
	18	Prohibition order (1=yes, 0=no)
	19	Conditional or absolute discharge (1=yes, 0=no)
	20	<b>Poss. for trafficking – CDSA s.(5)</b> (1= charged, 2=stay, 3=not guilty, 4=guilty)
	21	Prison (No. of months)
	22	Conditional Prison (No. of months)
	23	Probation (No. of months)
	24	Fine (\$ amount)
	25	Community service order (No. of hours)
	26	Restitution (\$ amount)
	27	Prohibition order (1=yes, 0=no)
	28	Conditional or absolute discharge (1=yes, 0=no)
	29	<b>Simple possession – CDSA s.(4)</b> (1= charged, 2=stay, 3=not guilty, 4=guilty)
	30	Prison (No. of months)
	31	Conditional Prison (No. of months)
	32	Probation (No. of months)
	33	Fine (\$ amount)
	34	Community service order (No. of hours)
	35	Restitution (\$ amount)
	36	Prohibition order (1=yes, 0=no)
	37	Conditional or absolute discharge (1=yes, 0=no)
	38	<b>Theft of Hydro - CCC s.326</b> (1= charged, 2=stay, 3=not guilty, 4=guilty)
	39	Prison (No. of months)
	40	Conditional Prison (No. of months)
	41	Probation (No. of months)
	42	Fine (\$ amount)
	43	Community service order (No. of hours)
	44	Restitution (\$ amount)
	45	Prohibition order (1=yes, 0=no)
	46	Conditional or absolute discharge (1=yes, 0=no)
	47	<b>Firearms charges – CCC ss.84-96</b> (1= charged, 2=stay, 3=not guilty, 4=guilty)
	48	Prison (No. of months)
	49	Conditional Prison (No. of months)
	50	Probation (No. of months)
	51	Fine (\$ amount)
	52	Community service order (No. of hours)

**Ethnicity:**  
 1= Caucasian  
 2=Oriental (except Vietnamese)  
 3=East Indian  
 4=Black/African  
 5=Aboriginal  
 6=Other  
 7=Vietnamese

53		Restitution (\$ amount)
54		Prohibition order (1=yes, 0=no)
55		Conditional or absolute discharge (1=yes, 0=no)
56		<b>Other Criminal Code</b> (1= charged, 2=stay, 3=not guilty, 4=guilty)
57		Criminal Code Section Number
58		Prison (No. of months)
59		Conditional Prison (No. of months)
60		Probation (No. of months)
61		Fine (\$ amount)
62		Community service order (No. of hours)
63		Restitution (\$ amount)
64		Prohibition order (1=yes, 0=no)
65		Conditional or absolute discharge (1=yes, 0=no)

*Appendix 3*

**CRIMINAL HISTORY**

VAR #	ASSIGNED CODE	VARIABLE DESCRIPTION AND VALUES
1.		ID #
2.		ID # Suspect
3.		Year of first offence (actual year)
4.		Type of prior drug offences
5.		Number of prior drug offences
6.		Number of violent offences
7.		Number of prior non-compliance
8.		Number of prior offences
9.		Total number of stays
10.		Number of jurisdictions on criminal record
11.		Most frequent jurisdiction on record
12.		Number of provinces on record
13.		Most frequent province on record
14.		Year of first offence in B.C.
15.		Year of cultivation # 1 (most recent)
16.		Jurisdiction of cultivation #1
17.		File # of cultivation # 1
18.		Year of cultivation # 2
19.		Jurisdiction of cultivation # 2
20.		File # of cultivation # 2
21.		Year of cultivation # 3
22.		Jurisdiction of cultivation # 3
23.		File of cultivation # 3
<b>NOTES</b>		

1 = possession  
 2 = trafficking  
 3 = cult/prod.  
 4 = 1 & 2  
 5 = 1 & 3  
 6 = 2 & 3  
 7 = 1,2 & 3

