

3rd Oregon Civil Rico Law-suit filed in Clackamas County

# CITIZENS VIEW



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Focus-Marijuana

## LARIAT LANE NEIGHBOR FILES CIVIL FEDERAL RICO LAWSUIT

DIRECTING SAFE DRUG POLICY

Teen suspected of killing parents after throwing wild party

<https://people.com/crime/teen-suspected-of-killing-parents-after-throwing-wild-party/>

### Group seeks to save equine center



Four years after the dust settled on the closure of the Mt. Hood Equestrian Center in Boring, an effort is underway to bring horses and their people back into the arena.

Since that time, the large building at 29450 S.E. Lariat Road with the distinctive roofline visible from Highway 26, has been used as the site of legal marijuana grow operations.

In its heyday — pun intended — it was a second home to many in the equestrian community.

The property passed through several hands in a short amount of time, eventually ending up under the ownership of Boring resident Todd Siverston in 2014. Siverston initially bought the prop-

erty with the intention of reopening the stables for use. But he soon discovered structural problems that weren't easily repaired.

In order to recoup money he'd put into the property, Siverston opted to lease the property to a handful of marijuana growers.

To this day, Siverston is working to renovate the space, but he's ready to sell.

"It's a beautiful property, and there's still work to be done," Siverston said.

Siverston invested a large amount of his own money into renovating the property, fixing the once leaking roof, repairing the siding, repainting the facility and much more.

"Had he not fixed the roof, the water lines, we wouldn't even be able to use the property," prospective buyer Samantha MacDonald said. "They've done phenomenal work."

"All I was doing was dumping money back into the property," Siverston noted. "The future will tell (what it will become), but as far as I'm concerned, I'm done with it."

The asking price is \$2.5 million. Unlike the facility's previous occupants, Siverston

won't take carrots.

Hooves on the ground

Together, Samantha MacDonald and Valerie Teeters, both of Boring, have formed an aspiring 501(c)3 organization, the Arrows of Hope Foundation, with which they hope to purchase and reopen the facility as Mt. Hood Equestrian Center.

Their campaign is called "Bringing Back the Hood." They have begun recruiting board members, including Gordon MacDonald, John Lee and Heather Wood.

"I want something for our community — for our kids," Teeters said.

Besides MacDonald and Teeters, there are three other investors chomping at the bit to buy the property, and all of them hope to return equine activities to the arena.

MacDonald grew up right down the road from the Equestrian Center, and has always loved horses. Teeters' children had a similar upbringing, and now she hopes to create that again for her grandchildren.

"It was like a hangout place," MacDonald said. "It was the thing to do if you were a horse person."

"The problem with that is no one person can carry the burden financially," MacDonald added. "The reason it will work for the foundation is we have an entire community behind us. I think that's the big difference between making a community barn versus a for-profit (facility)."

Several local companies, including Catman Excavation Inc. of Boring, have offered to donate labor to the effort if MacDonald and Teeters are successful in purchasing the property. The team would only have to buy supplies.

The duo is approaching this opportunity in a way that involves the community and keeps them informed. They held an informational meeting about the property on May 7 at the Boring-Damascus Grange.

"Our goal is to be completely transparent," MacDonald noted. "With finances — everything. If you ask a question and we don't know the answer, we're going to tell you we don't know the answer. ... We want to give (the community) an opportunity to ask their questions and also give their ideas. It takes a village to get something like this to go. And we're looking for our village."

One little problem

As things stand, MacDonald and Teeters are in the No. 2 buyer position, behind a prospective buyer from California.

Siverston said the buyer from California is interested in forging a lease agreement with MacDonald and Teeters.

But that doesn't mean MacDonald and Teeters are out of the game.

"If my current sale falls through, I'd offer it to them again," Siverston said.

The offer by MacDonald and Teeters met the asking price, but on a payment plan with a \$300,000 down payment.

"We have proved we have a vested interest," MacDonald explained.

Regardless of the raised eyebrows caused by the current use of the space, MacDonald said her purpose in making an offer to buy the building isn't a vendetta against pot growers.

"We don't have a dog in the fight concerning the marijuana operation," MacDonald noted. "Our focus is to bring the horse community back together."

Oh, and then there's a lawsuit

Over the past few years, Lariat Lane neighbor Norman Rice has proved himself as an outspoken opponent of the marijuana operation. And on May 18 he filed a lawsuit in U.S. District Court, an effort to force the marijuana grow out of the former equestrian center.

Rice claims the marijuana grow is a "criminal enterprise."

"It's too bad it had to come to this," Siverston said in response to the lawsuit. "I'm not personally in the marijuana business (and) all the marijuana people will be off the property within a few weeks. The people interested in buying it want to lease it to the equine people."

The Post reached out to Rice for comment and he said he could not talk about the lawsuit given that it's pending litigation.

Rice claims in his lawsuit that it was always Siverston's intention to make the property a hub of marijuana production and processing and refers to the activity taking place on the property as "racketeering."

"Plaintiffs have been damaged

by a criminal enterprise (the 'Marijuana Operation') producing and processing marijuana at the Lariat Lane Property and other properties, and then trafficking that marijuana," the lawsuit claims. "Plaintiffs seek redress under the Racketeer Influenced and Corrupt Organizations Act ('RICO'), which requires those who engage in racketeering activity, including production and sale of marijuana as a controlled substance, to pay treble damages, reasonable attorney's fees and cost to those whom they injure. Plaintiffs also seek damages for private nuisance."

Treble damages, in U.S. law, is a term that indicates that a statute permits a court to triple the amount of the damages to be awarded to a prevailing plaintiff.

The lawsuit claims Siverston bought the property in 2014 "for use by the marijuana operation, managed the marijuana operation, made financial investments in the marijuana operation and knowingly received proceeds from the trafficking of marijuana by the marijuana operation" and with the intention "to exploit the decriminalization of marijuana ... by expanding their marijuana production and trafficking operation," which Rice claims Siverston already had a stake in.

He said Siverston's renters have been processing marijuana, which is not permitted given the zoning of the property. Siverston told The Post that one renter had unsuccessfully applied with the county to be allowed to process on the property a few years ago, so processing has never happened at the Lariat Lane location.

Rice also claimed Siverston, and the 42 other defendants listed in the lawsuit, recruited medical marijuana card carriers in an effort to "stack cards." READ-FULL ARTICLE AT BELOW LINK

# MARIJUANA AND HUMONG PEOPLE

## SISKIYOU COUNTY SHERIFF FIGHTS TO CONTROL POT TRADE

Siskiyou County Sheriff Jon Lopey spent decades as a soldier. He enlisted in the Marines at age 18 and retired as a much-decorated colonel in the National Guard.

Today he's waging war again, not against Al Qaeda or the Taliban, but an army of rogue pot growers who have spread throughout his sprawling county.

As California prepares to make the sale of recreational marijuana legal Jan. 1, Lopey is immersed in an ongoing battle to shut down illegal pot farms and black-market trade in this isolated county abutting Oregon. When he patrols marijuana country or leads a raid, he wears camouflage fatigues and a black University of Nevada, Reno Wolfpack baseball cap.

For his zealous efforts, Lopey has emerged as one of the most visible opponents of California's massive pot industry, drawing allegations of racism in this predominantly white county where hundreds of Hmong newcomers who came to grow pot are blamed for the illegal marijuana trade.

"We need help because of the sheer magnitude of the problem," Lopey said in a recent interview. "We have been invaded by 2,000 illegal cultivation sites on private property, and we still have a drug cartel problem on public lands, mostly

from Mexico. I'm seeing major environmental impacts, more marijuana in schools. It's a state and national emergency."



Siskiyou County Sheriff Jon Lopey during a raid on an illegal cannabis cultivation in northern Siskiyou County on Thursday, October 26, 2017. Siskiyou County Sheriff Jon E. Lopey says his war against outlaw pot growers has escalated into a "national emergency." **Randall Benton** - rbenton@sacbee.com

He said he has no problem with growers who operate within the law, but the explosion of illegal pot farms in the county is putting his constituents – and the nation – at risk. Read full story at above link.



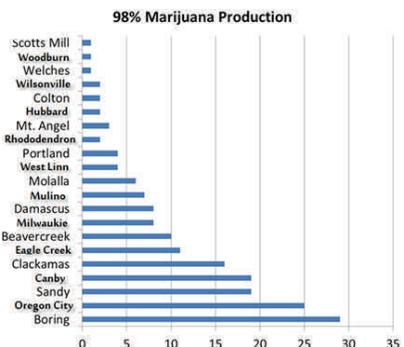
## QUALITY OF LIFE - 539 Commercial Pot Land Use Applications –Citizen Complaints

It is being touted that Clackamas County land use regulations are being used as a model for other counties, yet their land use regulations are the most liberal in the State and have opened up the door for commercial marijuana growing in almost every zone in the County. <http://www.clackamas.us/planning/marijuana.html>

Pot growers have little respect for the environment or the surrounding neighbors. Many are cutting down all of the trees and many of the properties are surrounded by smaller lot rural residential land owners who now will be greatly impacted by these large outdoor pot grows. Pot growers, wholesalers, proces-

sors and retailers are taking over complete areas in our rural residential communities. In Boring Oregon of the 188 marijuana land use applications over 20% has targeted various areas of our rural residential farming community to set up their pot industry. In a 3 mile radius 5 commercial pot grows many unknown medical marijuana grows, butane hash oil processing center and 2 marijuana wholesalers. Outrageous! As you can see from the chart, the unincorporated area of Boring has been overrun with pot production facilities impacting the communities, public safety, quality of life, and property values.

### CLACKAMAS COUNTY-OREGON





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**Consultant, Trainer, Speaker**

Building partnerships between citizens and government officials to help develop safe drug policies.

<https://www.youtube.com/watch?v=uTLLUKsbyaY&feature=youtu.be>

## CONNECTIONS

- **Monthly Connections**
- **Quarterly Citizen View Newsletter**
- **Quarterly Community Educational Forums –Focus Marijuana**
- **Annual Nat'l Safe Drug Policy Summit-Focus Marijuana –APRIL 2020**
- **Web Trainings**
- **Small groups meetings**



We believe we are socially responsible for preserving public safety, quality of life, and protection of property values on behalf of our communities and for the legacy of our children.



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# RENTAL HOMES TARGETED BY ILLEGAL POT GROW OPERATIONS

Cartels and other organizations, groups, and individuals who grow illegal amounts of marijuana for intent to sell and distribute often capitalize on absentee landlords and negligent property managers to gut homes, businesses, and other building to grow their product. Tuesday, the Drug Enforcement Administration, El Paso County Sheriff's Office, Colorado Springs Police, and metro Vice, Narcotics, and investigative Division busted 8 illegal grow locations near Ellicott, mostly in rental properties.

"What do the landlords actually know and is there a property manager that's been dealing with that with putting these people in here." asked El Paso County Sheriff Bill Elder.

Often times, the renters select homes or properties owned by someone who lives out of state, explained Greg Bacheller, co-owner of Real Property Management Colorado. "A lot of these folks that want to turn it into a grow house, they know if an owner is a two-hour flight away, they're not going to be paying close attention to it," Bacheller said.

Bacheller says reputable property managers will include language in lease agreements specifically stating the marijuana policy for the unit they're renting. "make sure that there's a clause in there that still says you can't do marijuana—no growing, no possession, no nothing," Bacheller said.

"Use some reasonable due diligence to have language in the lease to make sure that the tenant is affirmatively stating they're not going to do anything illegal," said attorney David McDivitt with the McDivitt Law Firm. "Unless the landlord is really turning a blind eye to some really obvious illegal activity, it would be really hard to say that the landlord was responsible or liable for illegal activity by the tenants."

But Bacheller says some owners are willing to rent to people with intent to grow if they're willing to pay steeper rent to do so. "We will periodically have some of our investor clients that will say, "Hey, I've heard I can get \$500 or \$1000 more in rent to allow someone to grow marijuana in my property," Bacheller explained. "and we immediately talk them out of that or just don't do business with them."

## Foreign Cartels Embrace home grown pot legal States

<https://www.nbcnews.com/news/us-news/foreign-cartels-embrace-home-grown-marijuana-pot-legal-states-n875666>

"We're trying to educate our renters to say, build into your contract, lease agreement, monthly walkthroughs and things like that so you can come in and take a look and see exactly what the condition of the place you're renting is," said Colorado Springs Police Chief Pete Carey. Requiring such frequent inspections can be unnecessarily intrusive on tenants, however, according to McDivitt. The tenant has a right to quiet enjoyment, which is the right to actually live there without being burdened by the landlord coming in to monitor what they're doing and constantly check on them," McDivitt said.