



C A L I F O R N I A
DEPARTMENT OF JUSTICE

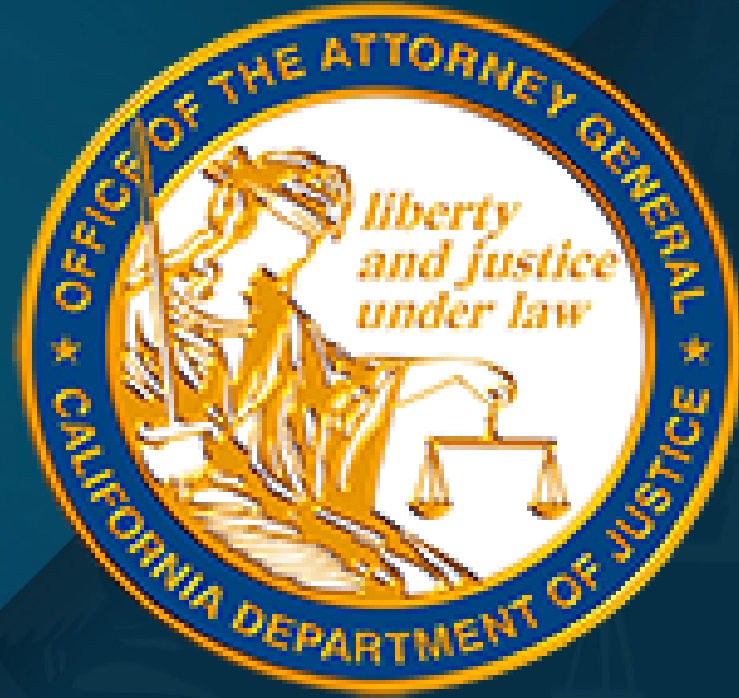
Cannabis Administrative Prosecutor Program (CAPP)

Cannabis Control Section



Cannabis Control Section

- Comprised of attorneys and staff with extensive experience in administrative procedures and civil enforcement.
- We work with state agencies (DCC, CDFW, SWRCB, CDTFA)
- Coordination with EPIC





What is CAPP?

- AGO Program that creates partnerships with local jurisdictions.
- Works with existing code enforcement to administratively prosecute violations.
- Leverages the skill and experience of the Cannabis Control Section to establish more cost-effective enforcement procedures.
- See, Government Code section 53069.4.
- AB 1684



Why is CAPP Needed?

- The scale of unlicensed commercial cannabis activity.
- To support the use of available and effective tools for local jurisdictions.
- To create a permanent infrastructure for a cost effective and sustained fight against illegal cannabis activity and the related environmental, social, and public health harms.









Benefits of CAPP to Local Jurisdictions

- Speed and scale of enforcement
- Utilize State resources to maximize the use of local funds for enforcement actions
- Contribute data to help the State stifle illegal large-scale cannabis businesses that are operating within multiple jurisdictions
- Assistance to help bolster local jurisdiction's zoning ordinances
- Ability for Cost Recovery through Tax Liens and Voluntary Settlements



How CAPP Works

- 1. Investigation/Conflict Check.**
- 2. Post and Serve Notice of Violation, Citation, and Order to Show Cause.**
- 3. Voluntary Abatement and Stipulated Administrative Order.**
- 4. Due Process Hearing.**
- 5. Abatement Warrant.**
- 6. Seizure of tangible property.**
- 7. Costs of Enforcement Tallied and Recorded As a Property Tax Lien.**



Cost Recovery

- Example: An officer takes 10 hours and drives 100 miles to serve 10 sites, each citation would bear the cost of 1 hour in fully weighted officer time and pay the cost of mileage on 10 miles.
- The hearing costs would be added to the lien.
- **NOTE: Only local jurisdictions that authorize the recovery of attorney fees by ordinance would recover prosecution costs.**



Implementation

- CAPP may look different depending on the jurisdiction's needs and available resources.
- Through Memoranda of Understanding (MOUs) with the Attorney General's Office, DAGs from the Cannabis Control Section will administratively prosecute violations for unpermitted cannabis activity.



Questions?

- If you would like to discuss anything further please reach out to:
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