

PRESS RELEASE

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Wild Rivers Transport, LLC
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Owner(s) Rick Barry (707) 951-0477
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City of Eureka
Medical Cannabis Facility License-Transport
Complies with the provisions of Eureka Municipal Code Chapter 158 and the finding required
In 158.023(L)
License Number: MCL-17-0027
Expires: 11/08/2018

State of California
Bureau of Cannabis Control
Medicinal - Distributor -Transport Only (Type 13)
License prominently displayed as required by Title 16 CCR 5039
License Number: M13-18-0000007-TEMP
Expires: 11/14/2018

Overview:

Wild Rivers Transport, LLC (WRT) was transporting assets for their client(s) from the Los Angeles area to Humboldt County. All parties involved are valid and in good standing with the Bureau of Cannabis Control (BCC). WRT was contacted by the California Highway Patrol (CHP), produced all documents as required by the BCC, and all items were confiscated. WRT parties were handcuffed for over 6 hours during this detention while CHP called in Department of Homeland Security (DHS). CHP turned the case over to DHS and an administrative seizure was conducted. WRT parties were then released by the CHP and the DHS without any charges. All assets were seized.

Note:

This delivery and/or transaction was a medicinal cannabis transaction. State and Federal officials obtained our clients information from reviewing the valid invoicing required by the bureau of cannabis control, we did not directly disclose the name of our client due to privacy concerns. Although all our invoices, licenses, and required paperwork were in order, the CHP spent several hours trying to come up with charges for our lawful activity. When they could not find any criminal activity occurred, they contacted DHS.
(All times and locations are approximate)

Summary:

On 9/06/2018 at approximately 3:25 PM, WRT parties were northbound on I-5 transporting high risk and valuable items for their client(s). While traveling at a safe speed, in the #1 northbound

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lane, WRT noticed a marked CHP patrol vehicle immediately behind them. WRT pulled over into the #2 lane to allow the marked CHP patrol unit to pass. CHP remained in the #1 traffic lane and slowly passed the transport vehicle. The marked CHP patrol unit passed and continued northbound (N/B). After several minutes, WRT observed the CHP patrol unit exit the freeway.

The marked CHP patrol unit re-entered northbound traffic, overtook and positioned their vehicle directly behind the WRT vehicle, activating emergency lights and conducted an enforcement stop. During the stop, the officer notified us he was a canine officer returning from training in Bakersfield's area and informed of the reason for the stop; a violation of 27600 of the California Vehicle Code (Mud Flaps Required). As the WRT driver produced his identification from the WRT transportation binder, a brief conversation informed the officer that WRT parties were prior CHP officers. The CHP officer returned to his patrol vehicle. WRT then received a written verbal warning notice for the alleged violation. A second CHP canine officer arrived on scene during the service of the warning. This CHP officer was advised we were prior CHP officers and he responded, "you guys look like dirtbags." After brief conversation, WRT parties were released and proceeded with transporting their clients items. WRT parties continued northbound on I-5 and pulled over for fuel and a restroom break. WRT continued N/B on I-5.

At or near 5:00 PM, while on I-5 just south of SR-132 WRT again noticed a marked CHP unit parked on the right shoulder of the freeway. The rear window was marked "K-9". As WRT passed this location, the marked CHP unit immediately entered traffic and conducted an enforcement stop on the WRT vehicle. The CHP officer approached the vehicle and instructed the WRT driver to exit the vehicle. A second CHP K9 unit arrived within minutes on scene as both parties were separated and ordered to sit on the ground. (Same CHP officers from the above detailed stop). A CHP K9 was deployed and alerted on the vehicle. The WRT driver informed both officers of a binder, located in the front seat which held both local (City of Eureka) and state licenses (Bureau of Cannabis Control). WRT informed the vehicle is used to legally transport cannabis products throughout the State of California. CHP disregarded WRT information and proceeded to conduct a search. All bulk items were removed from the interior of the vehicle including but not limited to two locked containers from WRT's contracted client(s). These items were thrown along the shoulder of I5. The CHP officers asked for the combination to the locked containers, WRT did not have the combination to the locks, as they are set by their clients. Officers obtained bolt cutters from their vehicle to cut open the containers. WRT stated you need a search warrant to cut the locks from those containers (Although the K9 hit on the outside of the vehicle, the containers were inside). WRT position was that the vehicle was hit on by the K9 because it is regularly used to transport cannabis. The containers were not separately run by the dogs to determine if they contained cannabis (the assets inside the containers did not contain cannabis and if the CHP had run the dogs on the containers, the dogs would not have hit on the containers). As stated above we transport high-risk and valuable items in addition to cannabis and there was no cannabis on this transport. While disregarding WRT request to run the dogs on the containers or get a search warrant for the property in the containers CHP replied in essence, that if the dog hit on the outside of the vehicle they can search anything and everything inside the vehicle--including locked containers.

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With a legal right to transport our clients property, CHP disregarded our request to inspect our licensing, prior to cutting off the locks. CHP cut open the bags, and our clients assets were confiscated at this time. Both WRT parties were restrained in handcuffs and placed in separate CHP patrol vehicles. CHP Officers did not locate any illegal items at any time.

The WRT driver again advised the CHP officers that a binder was located which included valid licenses and invoicing. The WRT vehicle was towed from the scene and both parties were transported two counties away to the officers' home area. Neither party was advised of any charge or the intent of the movement from the scene.

While being transported by the transporting CHP officers, CHP committed several moving violations which included but was not limited to, making a u-turn through the I5 center divide, exceeding the posted speed limit in excess of 25 MPH over the posted speed limit, using or accessing cellphone, passing vehicles over double yellow center lines, unsafe following of other vehicles, unsafe passing through intersections, and running posted stop signs. They did take the time to get themselves sodas at a Shell Station. They drove with disregard to their passengers and to other motorists on California state and federal roadways, while transporting the parties to the Merced Area CHP office. The owners of WRT were detained in handcuffs in separate areas while members of the CHP prolonged the unlawful detention.

During this detention, WRT parties were denied phone calls, water, restroom breaks, all while being detained in handcuffs behind their back.

A discussion between the involved CHP officers was overheard that they did not think they had enough to arrest WRT or seize the items and that they should call for internal administrative assistance for further direction on what should be done. Ultimately, an agent from The Department of Homeland Security was contacted to assume responsibility for the investigation.

WRT client assets were ultimately administratively seized by DHS. DHS informed WRT they have federal agents throughout the state to respond for seizures. They also informed WRT if we were illegals (illegal aliens) we would not be going anywhere. WRT parties had their cell phones seized, personal travel funds confiscated and were released without charges after being detained in handcuffs behind their backs for approximately 6-7 hours. Both parties were released with no means of communication, transportation or money (as their personal cash was seized). WRT asked the DHS agent and CHP Officer how could this be avoided as they were operating completely legal. The response was related in essence that WRT should get out of the cannabis business.

At approximately 1140 PM, upon being released in an unknown area to them and no vehicle to leave the area, and no cash for food/hotel, the officers advised them that there was a McDonalds across the street and a motel over the Hwy 99 overcrossing.

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WRT parties walked around the city of Atwater California, asking to borrow cell phones in order to advise their loved ones that they were okay. After making contact with an Applebee's Manager he volunteered to buy a motel room for the night. After having funds wired into Walmart the following day, WRT responded back to Applebees, paying off their motel stay. The owner of the motel gave WRT a ride to Patterson, CA so they could pay to get the WRT vehicle out of storage. We would like to thank the great people of Atwater for their generosity.

Upon retrieval of our vehicle, we determined the CHP had removed the mud flap ticket that was inside on the center console of our vehicle when we were detained at the first stop. The mud flap ticket was obtained on the first stop and was the genesis for the second stop and the subsequent illegal seizure.

It appears the CHP will stop at nothing to disrupt the lawful and legal transport of items involved in the medicinal cannabis industry. Despite following all BCC rules and regulations, the CHP endangered, harrassed, detained/arrested, and mistreated individuals engaged in lawful activities as they relate to cannabis.

We are going to continue to conduct business as usual, under the California Constitution and state laws.

Our advice to the CHP- "If the square block does not fit into the round hole, then maybe you have the wrong block"

Brian Clemann and Rick Barry - Owners of Wild Rivers Transport, LLC