



# Legalization and Regulation of Cannabis Enforcement Challenges



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**Deeds Speak**



# Overview

- Criminal Market & Organized Crime
- Legal vs. Illegal Use of Cannabis
- Road Safety – Impaired Driving
- Cannabis-related Demands for Service
- Policing Challenges
- Action Taken & Next Steps





# Why Legalize it...

- Keep cannabis out of the hands of children
- Keep profits out of the hands of criminals & organized crime
- Reduce the burden on the police and justice system

## A FRAMEWORK FOR THE LEGALIZATION AND REGULATION OF CANNABIS IN CANADA

THE FINAL REPORT OF THE TASK FORCE ON  
CANNABIS LEGALIZATION AND REGULATION





# Criminal Market

- \$7 billion Illicit Market
  - Most popular illicit drug in Canada
  - Almost half of Canadians have tried it at least once
  - Canada is second largest exporter in the world
  - Estimated 183 million annual users worldwide\*
  - \$7.29 (Ontario) & \$7.43 (Canada) per gram\*\*



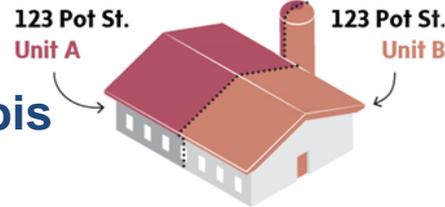


# Organized Crime

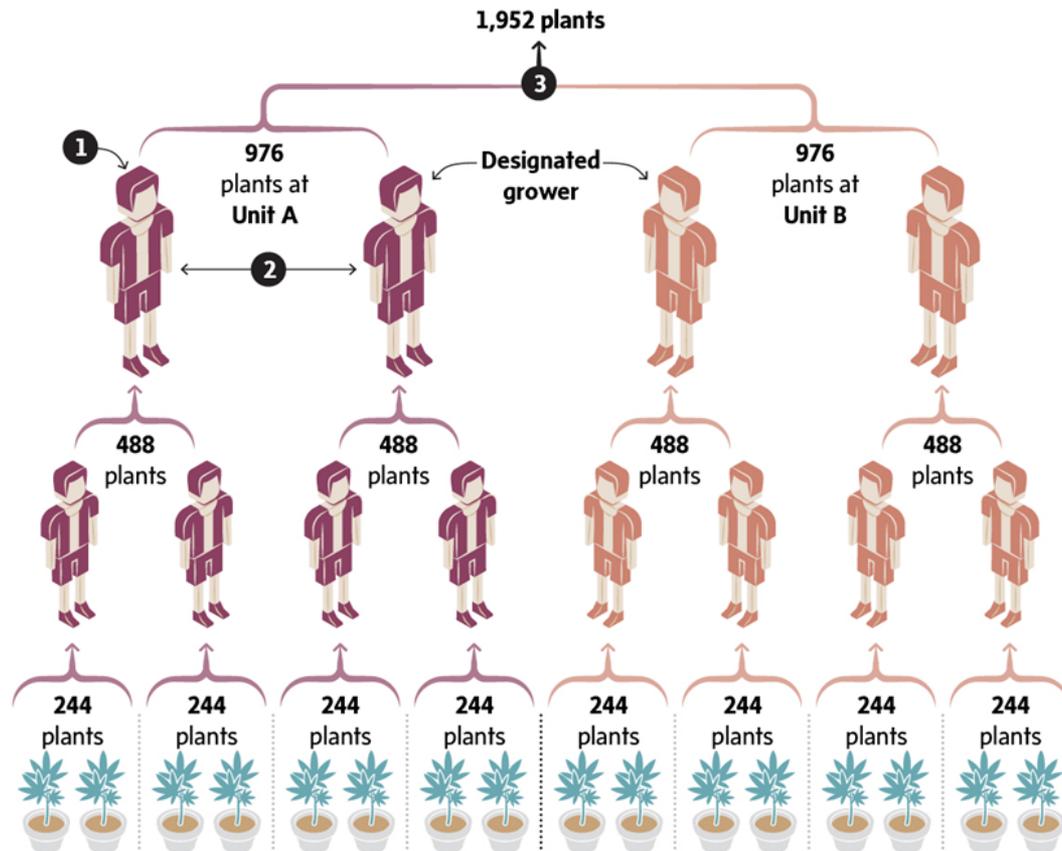
- More than 300 Criminal Organizations
  - Production, distribution, importation/exportation
  - Distribution via mail, air & ground
  - Ontario, followed by BC, Alberta & Quebec
  - Embedded in the Medical Framework
  - Shootings & homicides across Canada



# Criminal Diversion of Medical Cannabis



- 1 A designated medical marijuana grower can grow for two people at a time. If each person has a 244-plant license, the grower can grow 488 plants.
- 2 Each address can have two designated growers (or four licenses total). Two growers licensed to grow 488 plants each will now have 976 plants at one address.
- 3 An address can have multiple "units." So two growers can apply to Health Canada to grow their collective 976 plants at 123 Pot Street Unit B, totaling 1,952 legal plants at that address.





# Criminal Market & Organized Crime

- Economic Theory of Supply & Demand
  - Up to a two per cent increase in use
  - Higher THC, lower cost, availability
- Responding to Lost Revenue
  - Corruption of the Legal Market
  - Trafficking to Youth
  - Production and Distribution of Consumables
  - Other Illicit Drugs: cocaine, amphetamines, opioids
- Tobacco & Gaming
  - Close to 50 criminal organizations, 40 per cent of tobacco consumed is contraband
  - Gaming continues to be an avenue for money laundering & a source of violence

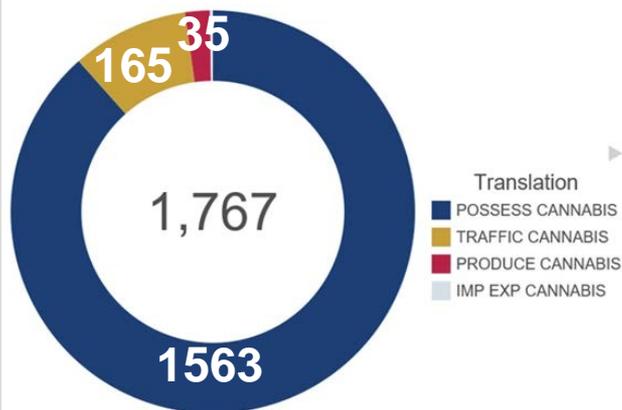
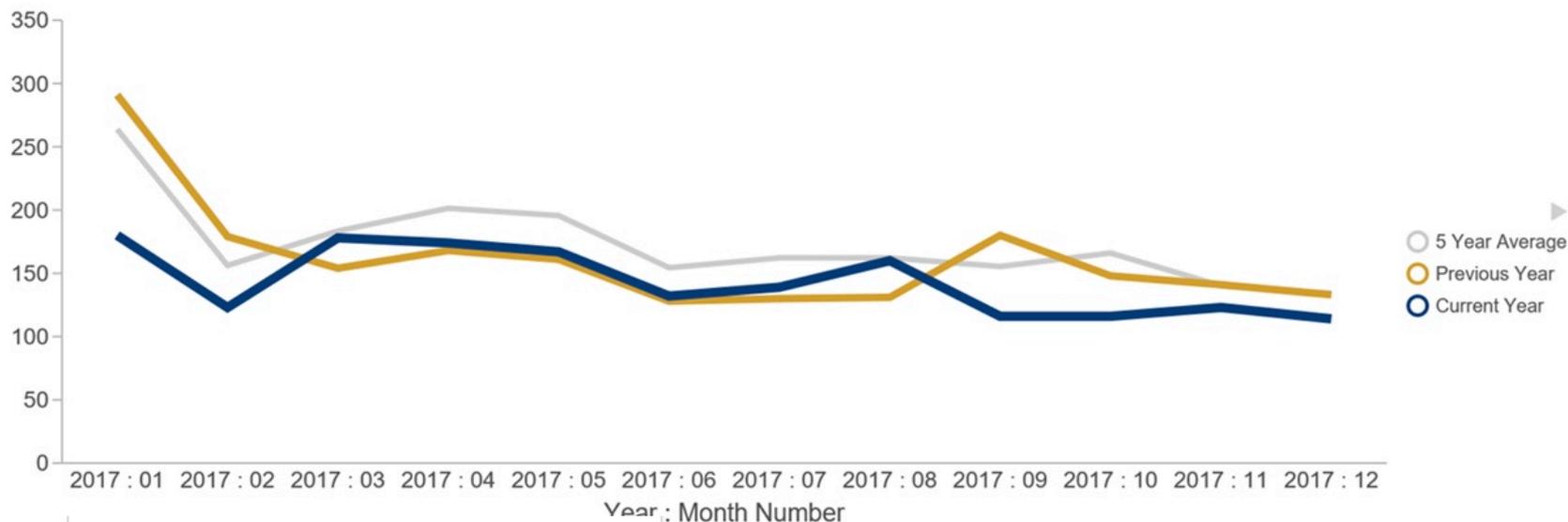




# Cannabis Statistics

Crime Trend Chart

Previous Year Variance: **-11.42%** ▼ 5 Year Variance: **-17.01%** ▼

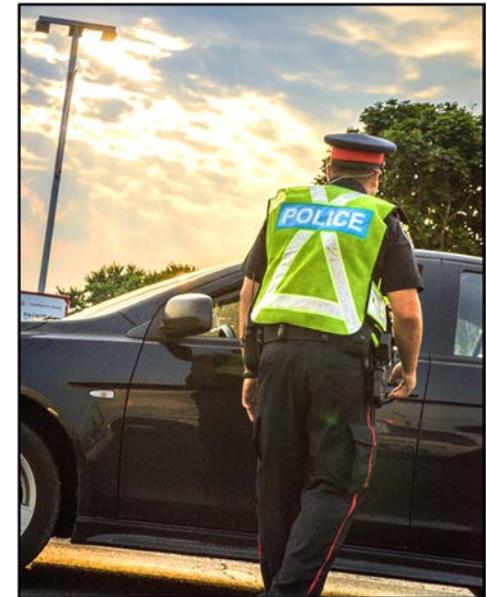


- 74% Released Unconditionally
- 28% of Possession Charges were Youth
- 39% of Trafficking Charges were Youth



# Impaired Driving

- Number one criminal cause of death in Canada
  - 26 fatal/serious injury alcohol-related collisions vs. one drug-related (2015-2017)
  - One driver in 18.5 spot checks is suspected and tested for impairment
  - One driver in 119 spot checks is impaired
  - 1,154 alcohol-related charges
  - 92 (28 per cent cannabis) drug-related charges
- Colorado Experience:
  - 41 per cent increase in deaths within first two years\*
  - Despite early public outreach, 'people are more likely to smoke and drive than drink and drive.'\*\*





## Other Demands for Service

- US experienced a 6.2 to 12.3%\* increase in crime: anticipated increases in break & enters, thefts, robberies/home invasions & mischief
- Other cannabis-driven calls for service are expected to include injured persons, missing persons and mental health-related occurrences





# Legal vs. Illegal

Medical	Home	Recreational	Driving
Authorized by health care professional	Four Plants – indoor/outdoor with no height limit	Provincial Government Retail or On-Line Purchase	Zero Tolerance: Under 21 yrs; Novice Drivers; Commercial Drivers
Home/Designated Producer	Unlimited Dried Product	Possession of 30 Grams	2 ng of THC per ml of Blood
Licensed on-line producer via mail/courier	Food & Beverages	30 to 50 Grams – Ticketable Offence	50 mg of alcohol per 100 ml of blood, with +2.5 ng of THC per ml of Blood
Consume in Public	Private Place Consumption	Over 50 Grams – Criminal Offence	Ability Impaired by Cannabis



# Impaired Driving Investigations

- Reasonable suspicion of drugs in a driver's body
- Standardized Field Sobriety Test and/or an Oral Fluid Screening Test
- Drug Recognition Expert Examination or a Blood Sample



*Currently there is NO approved oral screening device*



# Enforcement Training Needs

- All officers require one day of *Cannabis Act & Impaired-Driving Legislation* training - totaling 12,992 hours
- Up to 50% of frontline officers will require four/five days of Standard Field Sobriety Testing Training
  - Current strength of 49, only 60 spots available in 2018
- 40 Officers needed as Drug Recognition Experts
  - Three weeks of training - only available in the US
  - Current strength of 15, only six spots in 2018

***Laws have NOT received Royal Assent; therefore, the associated training standards and procedures cannot be developed.***



# Summary of Policing Implications

- **Known/Mandatory**
  - Training & Oral Screening Devices
- **Anticipated/Expected**
  - Increases in: Impaired Driving, Collisions, Injured Persons, Property Crimes, Mental Health-related Incidents, Administrative Support
- **Best Practices**
  - Illicit-Market Disruption Investigations, Maintaining Frontline Workload Distribution, Youth Education, Illicit-Market Analysis
- **Unknown**
  - Return of Property Process, Court Operations & Administration Impact, Unplanned Overtime



# Summary of Enforcement Challenges

- Limited ability to enforce four plants per household
- Public nuisance complaints regarding legal cannabis use
- Distinguishing between legal, illegal and medical cannabis
- No scientific level of impairment by cannabis
- No approved oral screening device available
- Awaiting actual legislation - insufficient availability/time for training





# Advocacy Timeline

- Met with and wrote to MPs expressing concerns
- Standing Committee on Health Testimony

2016 - 2018



- Ministry of Community Safety & Correctional Services Enforcement Workshop

Oct. 2017



- Partnered with the Region to Deliver a Municipal Workshop

Nov. 2017



- York Region Police Services Board and Regional Council resolutions

Nov. 2017



- Association of Municipalities of Ontario calling for a share of provincial taxes

Nov. 2017



- Federation of Canadian Municipalities calling for a share of excise taxes

Dec. 2017





## Legalization Will Not...

- Keep cannabis out of the hands of children
- Eliminate the presence of organized crime
- Restrict access to cannabis
- Save time for the police & justice system
- Improve road safety – strengthening impaired driving laws did **not** require the legalization of cannabis





## Next Steps

- Meeting with Members of Provincial Parliament highlighting concerns and advocating for funding
- Participation in Municipal Working Group to ensure a collaborative response
- Develop and participate in public awareness campaign(s)
- Embed prevention programming into Whole School Approach
- Commence training as soon as legislation is passed
- Monitor/analyze impact via advanced business intelligence tools
- Strategically respond to operational demands to mitigate the risk to public safety



# Thank you

## Questions?

