

BC Cannabis Policy – the time for leadership is now



The war on drugs, as it has been fought for decades, cannot be won.

– Louise Arbour, Former Supreme Court Justice

All of the vaunted and much publicized policing efforts to control gang violence and the marijuana industry have had little if any impact on the huge, highly profitable [cannabis] sector.

– Kash Heed, MLA



It's time for our political leaders to accept and act on the overwhelming evidence linking marijuana prohibition to organized crime and gang violence.

– Geoff Plant, Former BC Attorney General



STOP the VIOLENCE BC's Year in Review

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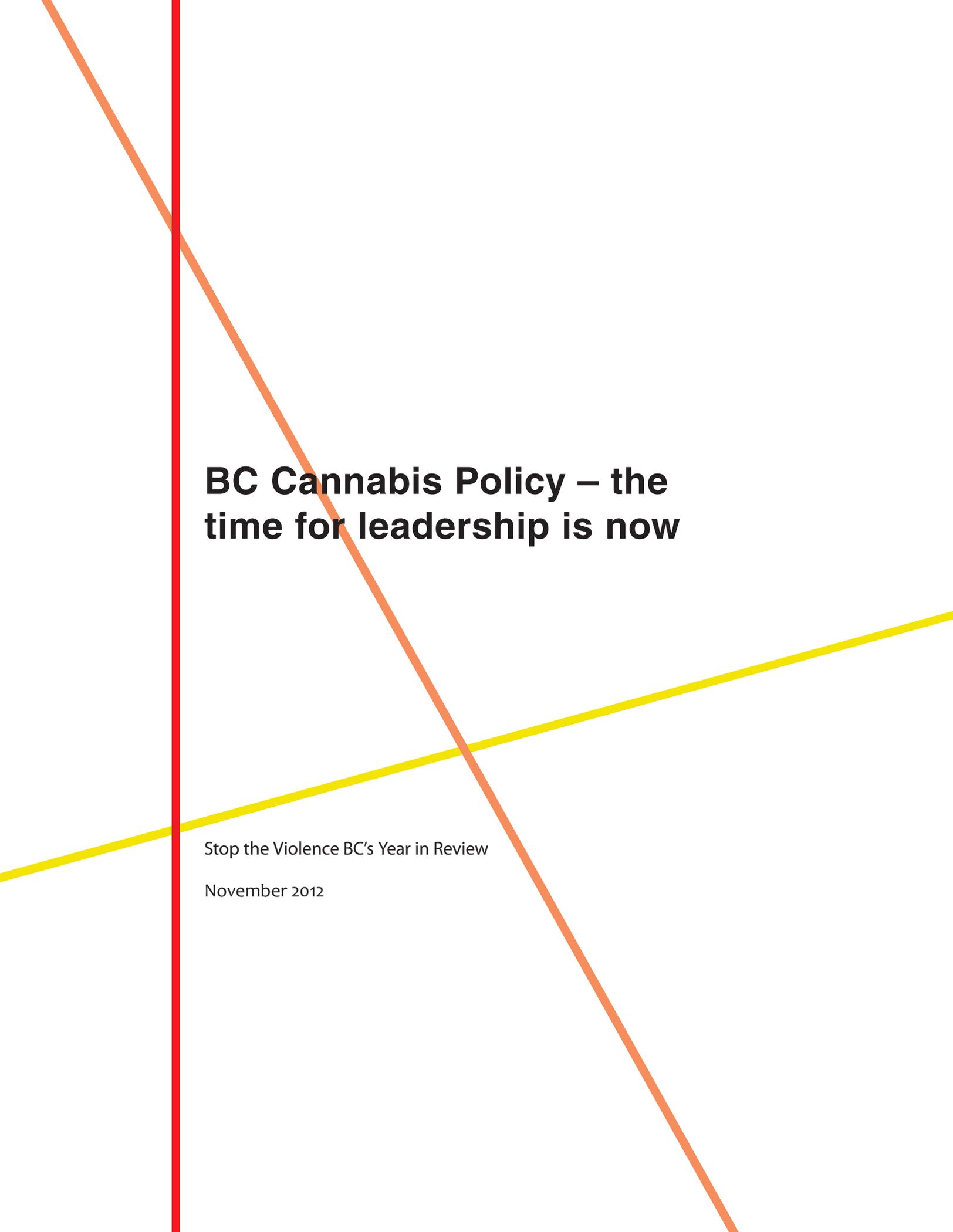
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Serving law enforcement officers who participated in this report did so while off-duty. The opinions and conclusions expressed in this report do not necessarily reflect those of their employers or of the employers of any of the Coalition members.

Stop the Violence BC includes experts affiliated with the following organizations:



To learn more about the Coalition or to join, please visit www.stoptheviolencebc.org



BC Cannabis Policy – the time for leadership is now

Stop the Violence BC's Year in Review

November 2012

BUILDING MOMENTUM

A remarkable and growing number of British Columbians are joining the call for the taxation and strict regulation of cannabis for adult use to better protect community health and safety while also reducing related organized crime activity and other community harms, such as the proliferation of illegal grow operations.

In October 2011, the Stop the Violence BC coalition – comprised of researchers from B.C.’s four leading universities and some of the province’s foremost experts in law enforcement, medicine, public health, and the law – released its first report, “Breaking the Silence.” The report launched a public discussion regarding the failure of cannabis prohibition to suppress B.C.’s massive cannabis market and the role that existing cannabis policies play in threatening community health and safety in B.C. Since then, Stop the Violence BC has been advocating for a strictly regulated cannabis market for adult use under a public health model as a strategy to wage economic war on organized crime and to better control the province’s high rates of cannabis use.

It has been one year since Stop the Violence BC’s launch, despite the groundswell of support for the taxation and regulation of cannabis, B.C.’s provincial leaders have largely refused to take action.

Today, Stop the Violence BC calls on provincial leaders to follow the example of the Union of B.C. Municipalities and tell British Columbians that they support researching a new approach to cannabis control – one that includes an impact assessment of the strict regulation and taxation of adult cannabis use under a public health framework.

PUBLIC SUPPORT

A poll released in conjunction with this year-in-review shows that public support has shifted even further in the past year. The Angus Reid

poll, conducted between October 22 and 24, 2012, found that only 14% of British Columbians believe possession of a marijuana cigarette should lead to a criminal record down from 20% one year ago. Overall, 75% support the taxation and regulation of cannabis over chasing and arresting cannabis producers and sellers, an increase of six percentage points from 2011 (see **Figure 1**). Interestingly, 74% of residents would be comfortable living in a society where adult cannabis consumption was taxed and legally regulated under a public health framework, an increase of four percentage points from 2011. Although some politicians have been supportive of decriminalization rather than regulation and taxation, at 62%, fewer B.C. residents support decriminalizing marijuana use than the proportion that support outright taxation and regulation (see **Figures 1 and 2**).

LOCAL, NATIONAL, AND INTERNATIONAL SUPPORT

The work of the Stop the Violence BC coalition has been endorsed by key community leaders and organizations, including two former premiers of B.C., four former provincial attorneys general, the Health Officers Council of BC, Virgin Group founder Richard Branson, and former Canadian Federal Supreme Court Justice Louise Arbour. Support at the municipal level has been remarkable: in the wake of four former Vancouver mayors and eight current B.C. mayors publicly endorsing Stop the Violence BC, a resolution in support of cannabis law reform was passed in September 2012 by the Union of British Columbia Municipalities. More recently, Stop the Violence BC has received the endorsement of its first sitting MLA, Kash Heed – which prompted MLA Joan McIntyre to publicly state her support for cannabis regulation – and the endorsement of B.C.’s Public Health Association. (For the most up-to-date listing, please visit www.stoptheviolencebc.org/endorsements/).



MLA Kash Heed announced Thursday that he's joining the effort to legalize and regulate pot as part of the Stop the Violence B.C. campaign. — STVBC

MLA Heed pushes for public debate on legalizing pot

MOVEMENT: 'War on drugs has been a failure'

ELAINE O'CONNOR
THE PROVINCE



There's nothing conservative about banning pot



Dr. Evan Wood

OPINION

Imagine an extremely expensive government policy proven to be completely ineffective at achieving its stated objectives. Consider also that whenever this policy is subjected to any kind of impact assessment, the government's own data clearly show that the policy has been ineffective, expensive and fuelled the growth of organized crime. Finally, imagine this remarkable set of circumstances persisting for decades — at great cost to taxpayers and community safety — and yet elected officials say and do nothing to address the status quo.

While a commitment to stronger conservative values is not a failure and negative consequences of cannabis prohibition. Those reading this article are encouraged to join. Rather than advocating for a free-market approach to legalized marijuana sales that would allow for advertisement and promotion of marijuana use, the coalition is calling for a strictly regulated legal market for adult marijuana use under a public-health framework.

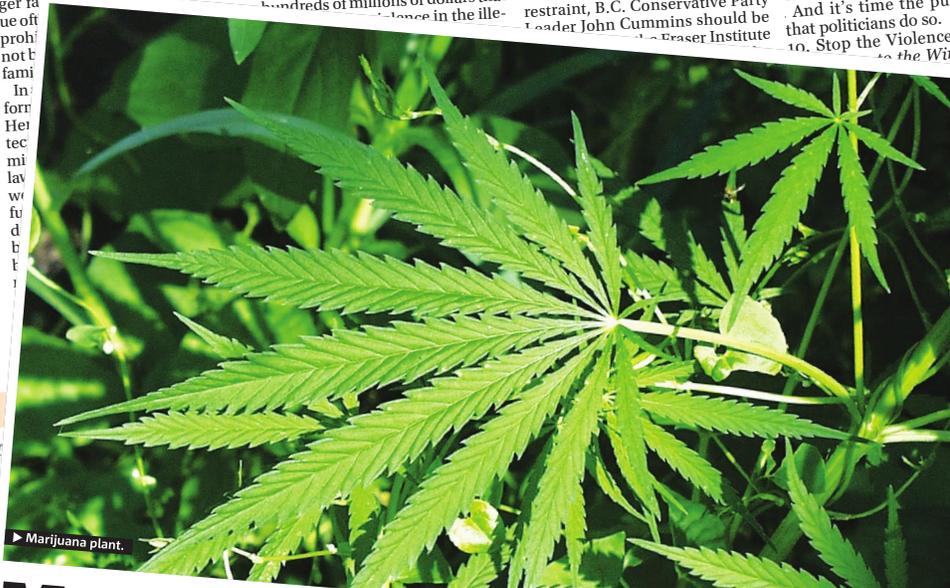
Research clearly suggests that a regulated model could redirect the hundreds of millions of dollars that are currently lost to the illegal market. Reid poll showing that only 12 per cent of British Columbians support existing marijuana laws, with almost 70 per cent supporting the taxation and regulation of marijuana, the B.C. Liberals and their NDP opposition have yet to show meaningful leadership on this issue. Apparently, they are concerned that voicing a progressive opinion could lead to a bleeding of support to the emerging B.C. Conservative Party.

Ironically, based on traditional conservative values of family, government accountability and fiscal restraint, B.C. Conservative Party leader John Cummins should be the one to lead the charge.

And it's time the public know what will increase violence — it's time to detail exactly how to reduce gang violence. And it's time the public know what will increase violence — it's time to detail exactly how to reduce gang violence.

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Marijuana plant.

Mayors take the high road

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THE NEWSPAPER'S VIEW

How will our leaders stop the violence?

Since former U.S. President Richard Nixon began the "War on Drugs" in 1971, countries around the world have developed ever more — and ever more harsh — legislative regimes to prevent the consumption of and trade in illicit narcotics.

And every time a new drug-related law is implemented, politicians emphasize that it is necessary for the protection of the public — specifically, to discourage people, and in particular children, from using drugs, and to protect everyone from the violence associated with the drug trade.

However, as detailed in a new report from Stop the Violence BC, a coalition of academics, current and former police officers, and members of the public, the war on marijuana has failed to achieve any of its stated goals. Indeed, the effect of the war has been the exact opposite of what was intended.

As for the war on drugs failing to achieve its intended goals: Although the war has cost governments some \$2.5 trillion in the last 40 years, marijuana remains as easy to obtain as ever — and not just for adults, as many

The war on drugs has therefore been more than a spectacular failure — it has been at least partly responsible for the growth of organized crime and for a dramatic increase in serious violence in our communities.

link between drug prohibition and violence, and a close correlation between homicide rates and the amount of funding funnelled to the drug war.

The war on drugs has therefore been more than a spectacular failure — it has been at least partly responsible for the growth of organized crime and for a dramatic increase in serious violence in our communities. British Columbians are evidently well aware of this, as a recent Angus Reid poll found 87 per cent attribute gang violence to gangs fighting over marijuana profits. And just 12 per cent support keeping marijuana laws in place.

Overwhelming public support, and the overwhelming evidence of the damage done by prohibition, one would expect politicians to respond. Yet federal government, in crime bill, plans to implement sentences for marijuana crime, which, all of the would suggest, will result in violence.

It isn't good enough. Our responsibility to implement support measures that will be public, rather than doing. And since the evidence we know what will increase violence — it's time to detail exactly how to reduce gang violence.

And it's time the public know what will increase violence — it's time to detail exactly how to reduce gang violence. And it's time the public know what will increase violence — it's time to detail exactly how to reduce gang violence.

A TIME FOR LEADERSHIP: POLITICIANS IGNORE THIS ISSUE AT THEIR PERIL

Over the last five years, too many politicians have lost touch with British Columbians' views on how best to tackle cannabis cultivation and use in the province.

The devastating impact of cannabis prohibition is clear. Over the span of a decade (1998 to 2008) the proportion of gang-related homicides increased by 48%, leaving a body count of 415. In 2009 alone, the RMCP reported 276 incidents of drive-by shootings. This bloodshed, and risk of further bloodshed, has not served as a deterrent for gang activity. Since 2003, the number of gangs in B.C. has more than doubled, with 188 gangs active across the province today.

This is not a partisan issue; rather, it is driven by common sense and the realization that the existing cannabis laws themselves drive so much of the violence and illegal activity in B.C. As is evident from polling, support for a regulatory

system for cannabis control in B.C. cuts across political party lines, with sizable majorities of supporters of all major political parties in the province signaling their support for cannabis regulation. Over the last year, for instance, support for cannabis policy reform has grown by 4% among individuals who voted in the last election for the BC Liberal Party, and 11% among those who voted for the BC NDP. Among individuals who currently intend to vote for the BC Conservative Party, 62% believe taxation and regulation of cannabis for adult use is preferable to chasing and arresting cannabis producers and sellers.

These numbers should serve as a strong reminder to policymakers that cannabis regulation is a non-partisan issue with broad-based public support. Policymakers who continue to ignore this widespread support are failing to take heed of the stated opinions of their constituents.

FIGURE 1. REGULATION

Agree or disagree: Chasing and arresting marijuana producers and sellers is ineffective—we would be better off taxing and regulating the adult use of marijuana.

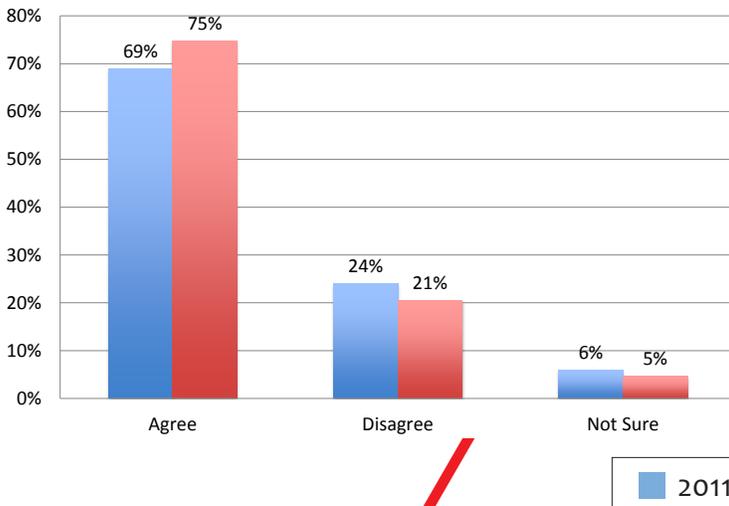
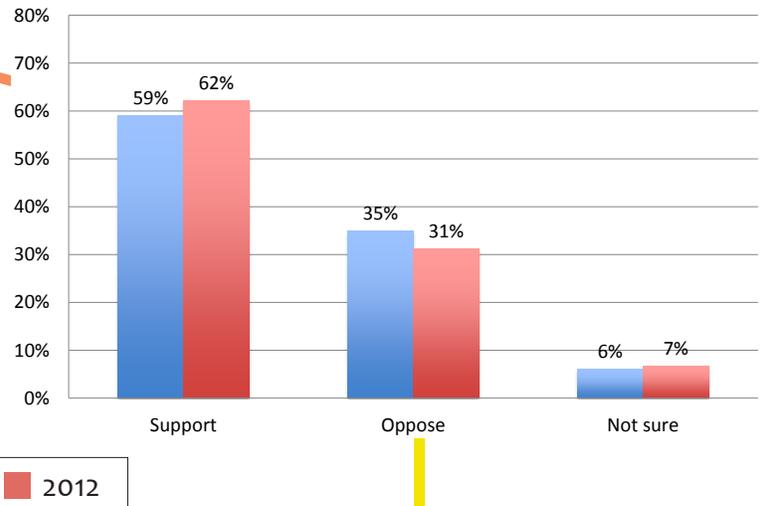


FIGURE 2. DECRIMINALIZATION

Thinking about marijuana in BC, do you support or oppose the following: Decriminalizing marijuana use (i.e., issuing fines for marijuana possession rather than arrests).



ADDRESSING MISINFORMATION AND CONFUSION

Stop the Violence BC has received widespread support and endorsements from prominent British Columbians, the general public and leading international experts. However, much more work needs to be done to correct misconceptions about the impacts of cannabis prohibition and the policy alternatives that exist.

In a few notable cases, Stop the Violence BC's efforts to promote an evidence-based and rational conversation about the effects of cannabis prohibition have been misrepresented by some commentators. In other cases, inaccurate comments have been voiced by a small number of uninformed individuals and special interest groups. What follows are samples of some of the inaccurate or potentially confusing statements made in the last year along with evidence-based responses that we hope will improve the quality of the public debate going forward (see next page).

IMPORTANT POTENTIAL CONFLICTS OF INTEREST

Stop the Violence BC's coalition includes a range of active and former law enforcement personnel. As a group, the coalition values and has a deep respect for the work of our colleagues in law enforcement. However, it must be

acknowledged that there is a potential conflict of interest inherent in instances when law enforcement agencies speak out against cannabis law reform, as massive tax dollars are currently being allocated to cannabis law enforcement initiatives.

For instance, when the Office of the Auditor General last reviewed Canada's Drug Strategy, its report estimated that 93.8% of funds are devoted to drug law enforcement. The report concluded that there is an "almost complete absence of basic management information on spending of resources, on expectations, and on results of an activity that accounts for almost \$500 million each year."

A more recent report in *Macleans* highlights a \$28 million dollar increase in RCMP funding for the investigation of cannabis growers and drug labs, bringing the allotted budget for drug law enforcement to \$113 million. The same report describes \$42 million in further cuts to addiction treatment programs, which had historically already been underfunded in Canada's response to drug use.

In this context, concerns raised by law enforcement about the theoretical harms of a new approach to cannabis should be regarded with some degree of skepticism, especially when the failure of the status quo is not acknowledged.

"It's time for our political leaders to accept and act on the overwhelming evidence linking marijuana prohibition to organized crime and gang violence."

– Geoff Plant, Former B.C. Attorney General

Geoff Plant is joined by his fellow former B.C. attorneys general Colin Gabelmann and Graeme Bowbrick, former premiers Ujal Donsanjh and Michael Harcourt, and sitting MLA Kash Heed in endorsing Stop the Violence BC. Other provincial agencies that support STVBC also include the Public Health Association of B.C., the Health Officers Coalition of B.C. and the Union of B.C. Municipalities.



TABLE 1. CONFUSING AND INACCURATE STATEMENTS

INTERNATIONAL RELATIONS	
<p>“I don’t want to say they would seal the border. But I think it would inhibit our trade generally because they’re certainly not going to make that move in the United States.”</p> <p>– Prime Minister Stephen Harper, as quoted in the <i>Asian Pacific Post</i> (November 29, 2011)</p>	<p><i>This statement is inaccurate. This November, three U.S. states (Colorado, Oregon, and Washington) will be voting to tax and regulate the adult use of cannabis. These measures are in addition to the 14 U.S. states that have already decriminalized cannabis possession.</i></p> <p><i>Like their U.S. counterparts who are working to address the unintended consequences of cannabis prohibition, B.C. politicians should demonstrate leadership in addressing the longstanding concerns attributable to cannabis prohibition by publicly recognizing the failures of the status quo and supporting research of evidence-based alternatives.</i></p>
IMPACTS ON ORGANIZED CRIME	
<p>“I would suggest that organized crime would simply move into other harder drugs.”</p> <p>– John Ruttan, Mayor of Nanaimo, as quoted in the <i>Nanaimo News Bulletin</i> (April 25, 2012)</p>	<p><i>Organized crime has become active in the \$7 billion a year cannabis industry in B.C. because it is, simply, the most profitable illegal business in the province. According to the RCMP’s website, “organized crime groups are involved in every aspect of illicit drug activity, with the resulting profits funding other crimes that affect us all.”</i></p> <p><i>A strictly regulated legal market would reduce this organized crime opportunity, make those who choose to remain in organized crime less able to finance other activities (e.g., cocaine importation), and force those who choose to continue illegal behavior into activities that are less profitable and less easy to evade police.</i></p>
CANNABIS PROHIBITION AND YOUTH	
<p>“The drug dealers are targeting our kids and we are a city with the most kids in the province... So for me, it’s not a road I want to walk down.”</p> <p>– Dianne Watts, Mayor of Surrey, as quoted in the <i>North Delta Leader</i> (April 26, 2012)</p>	<p><i>Cannabis prohibition creates a massive illegal market whose motive is profit – which is why the drug is more available to young people than alcohol and tobacco. The Health Officers Council of B.C. and Stop the Violence BC believe a strictly regulated market for adult cannabis use would likely make it more challenging for youth to access cannabis, similar to the situation that was put in place with the regulation of tobacco products, which subsequently saw a decrease in tobacco use among young Canadians.</i></p>



“This is not a partisan issue. Widespread access to marijuana for our youth, grow-ops that provide funds for organized crime, and significant costs to taxpayers for enforcement are all compelling reasons to re-examine our failed approach to prohibition.”

– Gregor Robertson, Mayor of Vancouver

Vancouver mayor Gregor Robertson has personally endorsed to STVBC, along with fellow mayors Chris Pieper of Armstrong, Darrell Mussatto of the City of North Vancouver, Derek Corrigan of Burnaby, Howie Cyr of Enderby, James Baker of Lake Country, John Ranns of the District of Metchosin, and Robert Sawatsky of Vernon. Former Mayors of Vancouver Larry Campbell, Philip Owen, and Sam Sullivan have also endorsed STVBC.

REGULATION VS. STATUS QUO		
<p>“Anything government touches gets screwed up. It’s going to get taxed and if it gets taxed too high, what happens?”</p> <p>– Patrick Slack, Commander, Snohomish County Regional Drug and Gang Task Force, Washington State, as quoted in the <i>Vancouver Sun</i> (September 24, 2012)</p>	<p>“B.C. pot is a highly sought-after ‘commodity’ and decriminalization will just push organized criminals underground.”</p> <p>– Sgt. Dave Williams, RCMP “E” Division, as quoted in the <i>Vancouver Sun</i> (September 27, 2012)</p>	<p>“Plecas told a packed study session at the UBCM’s annual convention he would ‘stake his life’ there would be no effect on illegal grow-ops if the federal government decriminalizes cannabis [...] He said issues with cannabis growers will remain unless municipalities take action.”</p> <p>– Dr. Dr. Darryl Plecas, RCMP-funded Criminology Research Chair at University of the Fraser Valley, as reported by Kamloops’ <i>The Daily News</i> (September 24, 2012)</p>
<p><i>The government has already “screwed up” cannabis control.</i></p> <p><i>Currently, people risk a criminal record or even violence to grow and consume cannabis. It is unreasonable to suggest that consumers would not pay a modest tax to avoid these risks. As has been the case with tobacco, a regulatory system offers government the option of experimenting with various levels of taxation to ensure low levels of use while also reducing the incentive for the creation of a black market. Under the current system, such controls are unavailable and cannabis is cheap and widely available.</i></p>		

CANNABIS PROHIBITION AND YOUTH	
<p>“Drug regulation is the jurisdiction of the federal government, which has responsibility for public prosecutions of cannabis offences under the Controlled Drugs and Substances Act, and it is most appropriate that they be the ones to respond to this debate.”</p> <p>– Shirley Bond, Minister of Justice and Attorney General of B.C., as quoted in the <i>Prince George Citizen</i> (February 15, 2012)</p>	<p><i>Provincial and federal political leadership is urgently needed to address the unintended consequences of cannabis prohibition. While all of Canada would benefit if the federal government took an evidence-based approach to addressing the harms of cannabis prohibition, it is unlikely that the current federal government will fill this leadership void.</i></p> <p><i>The province’s hands are not tied when it comes to cannabis law reform. Given the serious problems stemming from organized crime and violence in B.C. as a result of cannabis prohibition, it would be unwise for local politicians to further ignore this pressing issue by citing federal jurisdiction and thereby missing the opportunity to work towards change. There are legal mechanisms, including a Section 56 exemption from the Controlled Drugs and Substances Act, which would allow B.C. to research the impacts of a strictly regulated market for adult cannabis use.</i></p>

THE YEAR AHEAD

As indicated previously, several U.S. states have moved ahead with cannabis policy reform. Fourteen states have decriminalized marijuana already and, in November 2012, three states – including Washington State, B.C.’s immediate neighbour to the south – will be voting on ballot initiatives to tax and regulate cannabis.

In B.C., support for decriminalization sits at

62% compared to regulation, which sits at 75% (see **Figures 1 and 2**). Comfort with regulation has also grown from 70% to 74% over the last year.

In 2013, British Columbians will select their next provincial government and the individuals vying for the leadership need to become informed with respect to both public and expert opinion on cannabis policy reform.



“I am going to leave the cannabis debate to the federal government. It’s in their sole sphere of responsibility.”

– Christy Clark, B.C. Premier and leader of the B.C. Liberal Party, as quoted by *CBC News*



“If you want to address that issue we have to look at other avenues. The proposals that are out there [legalization, decriminalization] just don’t hold water.”

– John Cummins, leader of the B.C. Conservative Party, in an interview on *AM1150 Kelowna*



“My own view is we should move to decriminalization. [...] [Legalization] would bring challenges in society.”

– Adrian Dix, B.C. Leader of the Opposition and leader of the B.C. New Democrat Party, as quoted in the *Vernon Morning Star*.



“Governments on both sides of the border have failed to publicly acknowledge that criminal prohibition of marijuana—like that of alcohol—is a dismal and destructive failure.”

– John McKay, Former U.S. Attorney

Other international past and present politicians and leaders who support Stop the Violence BC include: Damon Barret of Harm Reduction International, Former President of Brazil Fernando Henrique Cardoso, Former Supreme Court Justice Louise Arbour, Former Anti-Narcotics Officer of Baltimore Neil Franklin, Former President of Switzerland Ruth Dreifuss, Former UN High Commissioner for Refugees Thorvald Stoltenberg, and Virgin Group Founder Richard Branson. Other international agencies that support STVBC also include the Global Commission on Drug Policy, the Health Officers Council of British Columbia, and Law Enforcement Against Prohibition.

We encourage all of these leaders to become informed and to commit to an evidence-based approach to address the harms of existing cannabis policies in B.C.

Some of our most recent endorsers and coalition members have vowed to take this issue to each of these leaders, encouraging them to take action on this issue. Further, a new initiative called Sensible B.C. plans to mobilize thousands of British Columbians to petition the provincial government for a referendum calling for new provincial cannabis policies including support for researching the taxation and regulation of marijuana.¹

The link between cannabis prohibition and the growth of organized crime and gang violence in this province is proven. Polling results show that British Columbians want cannabis policy reform to be an election issue, and in 2013 it will be. Stop the Violence BC encourages B.C.'s provincial politicians to demonstrate their leadership by telling British Columbians that they support researching a new approach involving an evaluation of the impacts of the strict regulation and taxation of adult cannabis use under a public health framework.

The time for leadership is now.

¹ While we applaud ongoing efforts to decriminalize cannabis in B.C., we feel compelled to note that unlike a regulatory system, cannabis decriminalization will address only a few of the important social and economic consequences of cannabis prohibition today (e.g. criminal records for otherwise law-abiding citizens and associated policing costs). Critically, only a regulatory system can address the most important health and safety concerns: organized crime and associated violence, the free and easy availability of cannabis among young people, and an uncontrolled cannabis market.

