

## Richter, Connie JAG:EX

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**From:** Fyfe, Richard J JAG:EX  
**Sent:** Wednesday, April 22, 2015 5:18 PM  
**To:** Sandstrom, Kurt JAG:EX  
**Subject:** Fwd: RUSH APPROVAL: For approval: IN Vancouver Marijuana regulation - ASAP please  
**Attachments:** IN\_Vancouver Marijuana regulation\_22 Apr 2015\_DRAFT.docx; ATT00001.htm

FYI. LOOKS OK TO ME.

Richard J.M. Fyfe QC  
Deputy Attorney General  
Ministry of Justice and Attorney General  
Tel. (250) 356-0149

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Begin forwarded message:

**From:** "Richter, Connie JAG:EX" <[Connie.Richter@gov.bc.ca](mailto:Connie.Richter@gov.bc.ca)>  
**Date:** April 22, 2015 at 4:30:34 PM PDT  
**To:** "Fyfe, Richard J JAG:EX" <[Richard.Fyfe@gov.bc.ca](mailto:Richard.Fyfe@gov.bc.ca)>  
**Subject:** RUSH APPROVAL: For approval: IN Vancouver Marijuana regulation - ASAP please

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**From:** Cador, Jennifer GCPE:EX  
**Sent:** Wednesday, April 22, 2015 4:26 PM  
**To:** Richter, Connie JAG:EX  
**Subject:** For approval: IN Vancouver Marijuana regulation - ASAP please  
**Importance:** High

Hi Connie,

For DAG approval, the attached IN addresses Vancouver's news release that went out this afternoon on a proposed framework for regulating marijuana-based businesses.

Sorry for the tight turnaround. The release is already out. See release below:

Thank you!

Jennifer Cador | Senior Public Affairs Officer  
Ministry of Justice Attorney General  
Government of British Columbia  
Phone: 250-953-3196

### City proposes framework to regulate marijuana-related businesses

Next week City Council will hear a proposal put forward by City staff to create a new business licence category as well as clear zoning requirements that all retail marijuana-related businesses would need to adhere to. The City has no jurisdiction to regulate the sale of marijuana but it does have clear jurisdiction to regulate how and where businesses operate in our city.

In the last two years, the City has seen a rapid growth rate of 100 per cent per year in marijuana-related businesses, including from 60 to 80 in the last four months alone. The proposed framework looks to achieve a careful balance between ensuring adequate availability for those in need and ensuring community health, safety, security, aesthetics, equity and enjoyment of property. Up to now there has been a lack of a clear and transparent regulatory framework from the Federal Government.

The City is proposing a balanced approach based on best practice research and input from key partners such as the VPD, Vancouver School Board, Vancouver Coastal Health, business improvement areas and several key stakeholders in the industry.

Key points under the proposed framework for marijuana-related businesses, include:

- 300m distancing from schools, community centers and neighbourhood houses
  - *(Existing practice is 1000ft as established in WA and CO states)*
- 300m distancing from other marijuana-related businesses
  - *(Existing practice is 1000ft as established in WA and CO states)*
- Implement a licensing fee (\$30,000) to recover costs from the significant burden across the City to manage and enforce new regulatory framework
- Operators must sign a Good Neighbour Agreement
- Operators require a Development Permit which would include a standard community notification process
- Geographic restrictions specific to unique areas in the city, limiting them to commercial areas

Applicants will be required to go through a three stage review process, which includes a point-based evaluation criteria, in order to obtain a business licence.

Staff will work with the sector over the coming weeks to ensure an understanding of the regulatory framework prior to enactment and implementation.

Council may refer this proposal to a Public Hearing at a yet-to-be determined date where interested parties will have an opportunity to speak.

You can read the proposed framework [here](#) on the City of Vancouver's website.

-30-

**Media contact:**  
City of Vancouver Corporate Communications  
604.871.6336



## MARIJUANA REGULATION

### CITY OF VANCOUVER

#### BACKGROUND:

On Apr. 22, 2015, the City of Vancouver issued a news release announcing that it intends to propose a framework to regulate marijuana-related businesses. The proposal will be presented to Council during the week of Apr. 27, 2015.

The proposal will involve the creation of a new business licence category as well as clear zoning requirements to which all retail marijuana-related businesses would be required to adhere.

The release cites a growth rate of 100 per cent per year in marijuana-related businesses in Vancouver.

Specific points under the proposed framework include:

- 300m distancing from schools, community centers and neighbourhood houses
  - *Existing practice is 1000ft as established in WA and CO states)*
- 300m distancing from other marijuana-related businesses
  - *(Existing practice is 1000ft as established in WA and CO states)*
- Implement a licensing fee (\$30,000) to recover costs from the significant burden across the City to manage and enforce new regulatory framework
- Operators must sign a Good Neighbour Agreement
- Operators require a Development Permit which would include a standard community notification process
- Geographic restrictions specific to unique areas in the city, limiting them to commercial areas

Program Area	Deputy / ADM	GCPE
Richard Butler – Apr. 22/15	Kurt Sandstrom – Richard Fyfe –	J. Cadot – Apr. 22/15 Kelsie Carwithen – Tasha Schollen –

## **MARIJUANA REGULATION**

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### **CITY OF VANCOUVER**

**MANDATE:** Ensure B.C. law is upheld.

**TOP MESSAGES:**

- I am aware of a recent proliferation of marijuana-related businesses and that the City of Vancouver is proposing a regulatory framework for them.
- My understanding is that the proposal has not yet been presented to Council. I am not going to speculate on Vancouver's proposal before having had a chance to study it.
- For now, what I can say is that possession of marijuana falls under federal legislation. It is prohibited under the Controlled Drugs and Substances Act, though there are exceptions for medicinal use.
- This is a complex issue and I look forward to receiving further details.

**If asked whether government will tax marijuana sales:**

- Again, this is a complex issue. I will defer to the Minister of Finance on questions related to taxation.

**If asked about police enforcement of marijuana:**

- The Province doesn't make operational decisions for police, who decide independently on investigations.
- They have the ability to use discretion in their day-to-day operations as they work in the best way possible to uphold the law.

Comment [JMC1]: Approved  
messaging from SG

Page 6 to/à Page 8

Withheld pursuant to/removed as

s.14

## **Pearson, Nancy JAG:EX**

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**From:** Lee, Sherri JAG:EX  
**Sent:** Friday, October 2, 2015 11:28 AM  
**To:** Pearson, Nancy JAG:EX; Nelson, Tiffany GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Question - Media request: Vancouver Sun - Medical Marijuana

Interesting question, but it hasn't been discussed at FPT tables. It sounds like it would be a matter of policy within those specific areas (judiciary, courts, Crown, etc), rather than a ministry wide policy.

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Friday, October 2, 2015 9:52 AM  
**To:** Nelson, Tiffany GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX; Lee, Sherri JAG:EX  
**Subject:** RE: Question - Media request: Vancouver Sun - Medical Marijuana

Morning, Tiffany. I don't believe this relates to our branch at all, but have copied Sherri Lee in case she can add something from the FPT perspective. We do have messages re FPT and marijuana laws, but they aren't specific to the questions below. You may also want to check in with CSB.

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**From:** Nelson, Tiffany GCPE:EX  
**Sent:** Friday, October 2, 2015 9:38 AM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** Question - Media request: Vancouver Sun - Medical Marijuana

Hi Nancy-- we're following up with Ian on his other questions, but I wanted to check if JSB would have any piece of this, particularly whether there is any policy re: direction to lawyers, judges regarding their use of medical marijuana. I'll follow up with LSB and Crown as well.

Thank you,

Tiffany  
250 858-4680

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**From:** Mulgrew, Ian (Vancouver Sun) [<mailto:IMulgrew@vancouver.sun.com>]  
**Sent:** Friday, October 2, 2015 9:11 AM  
**To:** Carwithen, Kelsie GCPE:EX  
**Subject:** Re: Vancouver Riot

Hi Kelsie,  
I'm curious about the rules governing medical marijuana use by lawyers, judges, jurors and those involved in the administration of justice given the growing widespread accepted use of the psychotropic drug without prescription or federal legal approval. What is the Justice Ministry's current stand and direction to lawyers, judges et al regarding their use of medical marijuana; their duty to reveal such use to the clients or a court in which they appear? What is the minister's stand on the kind of rules and regulation that would be appropriate? I have a few other questions but that's where I wanted to start and I wasn't sure whether the ministry would have a policy yet. I understand that a juror was dismissed earlier this week because they were a medical marijuana user — what are the rules governing jury duty and those with a prescription for pot?

All the best,  
me

**Ian Mulgrew**

Columnist

The Vancouver Sun

Suite 1, 200 Granville St.

Vancouver, B.C. V6C 3N3

Office: 604.605.2195

Cell: 604-209-7824

Email: [imulgrew@vancouversun.com](mailto:imulgrew@vancouversun.com)

Twitter: @ianmulgrew

**THE VANCOUVER SUN**  
[vancouversun.com](http://vancouversun.com)

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**From:** <Carwithen>, "Kelsie GCPE:EX" <[Kelsie.Carwithen@gov.bc.ca](mailto:Kelsie.Carwithen@gov.bc.ca)>  
**Date:** Friday, June 12, 2015 at 1:54 PM  
**To:** "Ian (Vancouver Sun) Mulgrew" <[IMulgrew@vancouversun.com](mailto:IMulgrew@vancouversun.com)>  
**Cc:** "Comer, Gordon S JAG:EX" <[Gordon.Comer@gov.bc.ca](mailto:Gordon.Comer@gov.bc.ca)>  
**Subject:** Re: Vancouver Riot

Hi Ian – thanks for your note. These questions would be best answered by Gord Comer at the Criminal Justice Branch [Gordon.Comer@gov.bc.ca](mailto:Gordon.Comer@gov.bc.ca) . Gord will be getting back to you at his earliest convenience (he is cc'd on this note).

If you have any further questions for the Ministry of Justice, please don't hesitate to give me a ring.

Cheers,

**Kelsie Carwithen**, Communications Manager  
Ministry of Justice, Attorney General Communications Office  
Phone: 250-952-7302 Cell: 250-812-5854

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**From:** Mulgrew, Ian (Vancouver Sun) [<mailto:IMulgrew@vancouversun.com>]  
**Sent:** Friday, June 12, 2015 1:05 PM  
**To:** Schollen, Tasha GCPE:EX  
**Subject:** Vancouver Riot

Hi Tasha,

I was following up a wire story that moved a day or so ago saying,



Crown spokesman Gordon Comer said 285 of the 300 people charged pleaded guilty, seven were convicted, and one was acquitted. Charges were not approved against 66 others. He said charges were stayed against four others, a decision against two people will be announced in September and that a warrant remains outstanding against a woman who returned to Australia. "There are 11 people awaiting sentencing and there are two people who are awaiting a verdict," he said. The branch has not received any reports since last October from police recommending charges, and Comer said he's not expecting any more. He said a substantial number of Crown lawyers have worked full time on the files for a few years, and the branch has spent nearly \$4.5 million pursuing prosecutions stemming from the riot.

The \$4.5 million seems high to me — that's \$15,000 a piece for the 300 cases that they proceeded with — 285 were guilty pleas, there were eight trials, seven convictions and an acquittal. They didn't proceed with 66 cases. How did the Crown spend \$15,000 on average per case when almost all were guilty pleas? None of the costs included court time, legal aid or judicial costs, apparently. Are the figures quoted correct and is there a breakdown of that \$4.5 million, which incidentally I believe is more than the damage caused by the riot.

Thanks,  
Ian

**Ian Mulgrew**  
Columnist  
The Vancouver Sun  
Suite 1, 200 Granville St.  
Vancouver, B.C. V6C 3N3  
Office: 604.605.2195  
Cell: 604-209-7824  
Email: [imulgrew@vancouver.sun.com](mailto:imulgrew@vancouver.sun.com)  
Twitter: @ianmulgrew

**THE VANCOUVER SUN**  
[vancouver.sun.com](http://vancouver.sun.com)

## **Pearson, Nancy JAG:EX**

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**From:** Rawlinson, Kathleen JAG:EX  
**Sent:** Friday, October 16, 2015 12:08 PM  
**To:** Pearson, Nancy JAG:EX; Lee, Sherri JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX  
**Subject:** RE: Marijuana - Review

Looks good to me, thanks.

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Friday, October 16, 2015 12:06 PM  
**To:** Lee, Sherri JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX; Rawlinson, Kathleen JAG:EX  
**Subject:** RE: Marijuana - Review

Thanks for the quick turnaround, Sherri.

Kathleen, please review/approve asap.

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**From:** Lee, Sherri JAG:EX  
**Sent:** Friday, October 16, 2015 12:04 PM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX; Rawlinson, Kathleen JAG:EX  
**Subject:** RE: Marijuana - Review

Hi Nancy. I made a few changes in **bold green** to the last bullet. I'm copying Kathleen, so she's in the loop.

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Friday, October 16, 2015 11:50 AM  
**To:** Lee, Sherri JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX  
**Subject:** FW: Marijuana - Review  
**Importance:** High

Hi Sherri,

Please have a look at the Q&A below and let us know asap if any changes are needed. These are also with CJB.

Thanks,  
Nancy

---

**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Friday, October 16, 2015 11:47 AM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX; Nelson, Tiffany GCPE:EX  
**Subject:** Marijuana - Review

Hi Nancy,

I have two requests in this email as follows:

## **Request #1**

Early next week, the Minister is at the B.C./Washington State law enforcement meeting with media avail. To prepare her for this event, we have developed a statement and Q&A's. Can you please have these reviewed with feedback for end of today?

### **Statement:**

**"Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate. This falls under the Controlled Drugs and Substances Act, which is a federal issue and something that is best answered by the federal government.**

**We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it."**

### **Q&As:**

#### **1. Do you think legalization of marijuana in BC would make the border safer?**

- That is certainly not something I would speculate on but we are watching the events in the U.S. with interest as they unfold.
- This situation provides us the opportunity to see how jurisdictions grapple with the implications of decriminalization and learn from it.
- But the bottom line is that marijuana (with the exception of medical marijuana) is currently not legal in Canada. The legal status of that drug is a federal government decision.

#### **2. Do you agree with the legalization of marijuana?**

- Whether the decriminalization or legalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate.
- This falls under the Controlled Drugs and Substances Act. It is a federal issue and something that is best answered by the federal government.

#### **3. Has the drug trade changed or slowed down due to the legalization of pot in Washington?**

- At this point it is best to address that question to police.

#### **4. Will the conference talk about the movement of other drugs (Cocaine, Fentanyl)?**

- I won't address the discussions today. But I will say that we are all aware that these drugs, and lately Fentanyl, have been big problems for us in BC and elsewhere - because it really affects the safety of the public and that concerns me very much.

---

## **Request #2**

In anticipation of Monday's Federal election, we have drafted key messages for the Minister to have on hand should she get asked about the future of marijuana. Can you please have these reviewed with feedback for end of today?

- This is a Federal government responsibility, and any new government will need time to develop new legislation.
- We will be waiting to see what they propose and will be working to keep British Columbians safe no matter the outcome.
- As with any new legislation or policy shifts that will impact on the ~~affect the~~ province's policing, courts, corrections and other justice services, we expect to be consulted in the development of any new approach that might be proposed. ~~participate in any consultation.~~

Thanks!

Lori

## Pearson, Nancy JAG:EX

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Friday, October 16, 2015 4:34 PM  
**To:** Cascaden, Lori R GCPE:EX  
**Cc:** Mead, Rhonda M JAG:EX (Rhonda.Mead@gov.bc.ca)  
**Subject:** FW: FOR APPROVAL TODAY: Q&A re legalization of marijuana  
  
**Importance:** High

Hi Lori,

Changes are indicated below. Jamie has signed off on these.

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**From:** Lee, Sherri JAG:EX  
**Sent:** Friday, October 16, 2015 12:04 PM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX; Rawlinson, Kathleen JAG:EX  
**Subject:** RE: Marijuana - Review

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**Sent:** Friday, October 16, 2015 11:50 AM  
**To:** Lee, Sherri JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX  
**Subject:** FW: Marijuana - Review  
**Importance:** High

Hi Sherri,

Please have a look at the Q&A below and let us know asap if any changes are needed. These are also with CJB.

Thanks,  
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**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Friday, October 16, 2015 11:47 AM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Mead, Rhonda M JAG:EX; Nelson, Tiffany GCPE:EX  
**Subject:** Marijuana - Review

Hi Nancy,

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### Request #1

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## Statement:

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We're certainly watching the events in the U.S. with interest ~~as they unfold~~. This situation provides us the opportunity to see how jurisdictions grapple with the ~~legal~~ implications of decriminalization and legalization ~~and learn from it.~~"

## Q&As:

### 1. Do you think legalization of marijuana in BC would make the border safer?

- That is certainly not something I would speculate on but we are watching the events in the U.S. with interest ~~as they unfold~~.
- This situation provides us the opportunity to see how jurisdictions grapple with the implications of decriminalization and learn from it.
- ~~But~~ The bottom line is that marijuana (with the exception of medical marijuana) is currently not legal in Canada. The legal status of that drug is a federal government decision.

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- This falls under the Controlled Drugs and Substances Act. It is a federal issue and something that is best answered by the federal government.

### 3. Has the drug trade changed or slowed down due to the legalization of ~~pot~~ marijuana in Washington?

- At this point it is best to address that question to police.

### 4. Will the conference talk about the movement of other drugs (Cocaine, Fentanyl)?

- I won't address the discussions today. But I will say that we are all aware that these drugs, and ~~late~~ especially Fentanyl, have been big problems for us in BC and elsewhere - because it really affects the safety of the public and that concerns me very much.

---

## Request #2

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- This is a federal government responsibility, and any new government will need time to develop a response ~~new~~ legislation.

- We will be waiting to see what they propose and will be working to keep British Columbians safe no matter the outcome.
- As with any new legislation or policy shifts that will impact on the ~~affect the province's policing, courts, corrections and other justice system services~~, we expect to be consulted in the development of any new approach that might be proposed. ~~participate in any consultation.~~

Thanks!

Lori

**Pearson, Nancy JAG:EX**

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, August 17, 2015 6:22 PM  
**To:** Cascaden, Lori R GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** Fw: Media Request - Georgia Straight - Van. medical marijuana dispensaries

All done, Lori.

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**From:** Deitch, James JAG:EX  
**Sent:** Monday, August 17, 2015 5:30 PM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Georgia Straight - Van. medical marijuana dispensaries

Nancy:

I am fine with the messaging proposed. Probably wise if they also review this request with Health.

Thanks.

**James Deitch**  
**Acting Assistant Deputy Minister**  
**Justice Services Branch**  
**Ministry of Justice**  
**8<sup>th</sup> floor, 1001 Douglas Street**  
**PO Box 9222, Stn Prov Govt**  
**Victoria, BC V8W 9J1**

[www.criminaljusticereform.gov.bc.ca](http://www.criminaljusticereform.gov.bc.ca)  
<http://www.gov.bc.ca/ag/index.html>

*Phone: 250.356.6582*  
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*Cell: 250.580.5612*

*Please consider the environment before printing this e-mail*

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, August 17, 2015 4:02 PM  
**To:** Deitch, James JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** FW: Media Request - Georgia Straight - Van. medical marijuana dispensaries  
**Importance:** High

Hi Jamie,



For your approval before tomorrow morning, if possible. Both Sherri and Wendy have vetted the media response points below and had no changes.

Thanks,  
Nancy

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**From:** Jackson, Wendy JAG:EX  
**Sent:** Monday, August 17, 2015 4:01 PM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX; Schultz, Janis JAG:EX  
**Subject:** RE: Media Request - Georgia Straight - Van. medical marijuana dispensaries

Approved on my end.

*Wendy Jackson*

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, August 17, 2015 3:53 PM  
**To:** Jackson, Wendy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX; Schultz, Janis JAG:EX  
**Subject:** FW: Media Request - Georgia Straight - Van. medical marijuana dispensaries  
**Importance:** High

Hi Wendy,

Sherri has provided feedback on the media request below. Over to you for approval, and then I'll send it to Jamie. Thanks.

---

**From:** Lee, Sherri JAG:EX  
**Sent:** Monday, August 17, 2015 3:51 PM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Georgia Straight - Van. medical marijuana dispensaries

Hi Nancy. I think the messaging below is consistent with the approach we've been taking for some time now. I don't have anything to add or change.

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, August 17, 2015 3:44 PM  
**To:** Lee, Sherri JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** Media Request - Georgia Straight - Van. medical marijuana dispensaries  
**Importance:** High

Hi Sherri,

Is this something you can assist with?

---

**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Monday, August 17, 2015 3:36 PM  
**To:** Pearson, Nancy JAG:EX

**Cc:** Vermaning, Tiny JAG:EX

**Subject:** FW: For program approvals: Media Request - Georgia Straight - Van. medical marijuana dispensaries

Hi Nancy,

One other media request for quick approval, please and thank you.

Sorry for all of these requests!

Lori

**Date/Time:** 17/August/11:45 am

**Deadline @** Tuesday August 18, 11 am for interview

**Media:** The Georgia Straight

**Reporter:** Travis Lupick, lupick@straight.com, <sup>s.22</sup>

**Topic:** JSB - Vancouver's medical marijuana dispensaries and recreational use

**Background:** The reporter is writing a short piece about changing attitudes towards Vancouver's medical marijuana dispensaries and recreational marijuana and the province's role in these issues.

The article will focus on a set of documents released in an FOI request.

From the reporter: "It has been put to me that if one skims through those documents very quickly, the conclusion one will draw is that the B.C. government intends to remain hands off on the subject of marijuana"

The reporter has previously received a statement from Minister Anton about Vancouver medical marijuana dispensaries and police enforcement of federal regulations.

**Questions:** What is the province's developing role in the regulation of medical marijuana dispensaries as well as the recreational use of marijuana?

**Suggested Response:**

- Any regulatory framework for marijuana-related businesses, such as the regulations recently approved by the City of Vancouver, are developed at the discretion of the municipality.
- In Canada, the possession of marijuana falls under federal legislation and it is prohibited under the Controlled Drugs and Substances Act, though there are exceptions for medicinal use.
- If medical marijuana businesses are operating contrary to a municipal bylaw, it is up to the municipality to deal with any contravention.
- If medical marijuana businesses are operating contrary to the Controlled Drugs and Substances Act (Canada), that is a matter for the police.

## **Pearson, Nancy JAG:EX**

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 4:09 PM  
**To:** Deitch, James JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

Hi Jamie,

GCPE needed to move forward with this, so I gave them the go ahead. Sherri and Wendy didn't have concerns. Neil MacKenzie gave a similar response on behalf of CJB.

This is off your plate now.

Thanks,  
Nancy

---

**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 1:54 PM  
**To:** Deitch, James JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** FW: Media Request - Legalization of Marijuana  
**Importance:** High

Another media request for your approval before end of day, Jamie. Sherri and Wendy have both reviewed it.

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**From:** Jackson, Wendy JAG:EX  
**Sent:** Monday, July 6, 2015 1:53 PM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX; Lee, Sherri JAG:EX; Schultz, Janis JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

Looks fine to me as well Nancy.

---

**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 1:50 PM  
**To:** Jackson, Wendy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX; Lee, Sherri JAG:EX; Schultz, Janis JAG:EX  
**Subject:** FW: Media Request - Legalization of Marijuana  
**Importance:** High

Hi Wendy,

For your approval asap today. I'll have to get Jamie's sign-off, as well, and the overall deadline is 5:00.

Thanks.

---

**From:** Lee, Sherri JAG:EX  
**Sent:** Monday, July 6, 2015 1:49 PM

**To:** Pearson, Nancy JAG:EX; Cascaden, Lori R GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

The statement looks fine to me. There is no white paper that I'm aware of and I'm not aware of anyone in the Ministry who is studying this issue or drafting any documents on this subject; however, several of us are watching the situation in the US, which is consistent with what is mentioned in the statement below.

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 1:19 PM  
**To:** Cascaden, Lori R GCPE:EX  
**Cc:** Lee, Sherri JAG:EX; Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

Hi Lori,

Once Sherri has had a chance to look at this, I have two other approvals to obtain. Stay tuned.

---

**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Monday, July 6, 2015 12:37 PM  
**To:** MacKenzie, Neil JAG:EX; Lee, Sherri JAG:EX  
**Cc:** Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX  
**Subject:** Media Request - Legalization of Marijuana

Hello Neil and Sherri,

We received the below media request, which includes our response based on previously approved messaging. Can you please review and provide me with your feedback prior to 5:00 pm today?

The reporter is also asking if there's an existing white paper on the legalization of marijuana in B.C. Do you know if such a document exists?

**Date/Time:** 6 July 11:05 am

**Deadline @** 5:00 pm

**Media:** Vancouver province

**Reporter:** Dan Fumano, s.22, [dfumano@theprovince.com](mailto:dfumano@theprovince.com)

**Topic:** Legalization of Marijuana

**Background:** Would like statement but will accept background. Wednesday is the one-year anniversary of legalization of marijuana in Washington State. Reporter driving to Bellingham to speak to sheriffs, police, shops about the anniversary, will ask about experiences/problems, lessons learned. He says he may also call Ottawa for comment.

**Questions:** Could legalized marijuana come to BC? Has there been any discussion of the topic? Is there a white paper about this?

**Suggested Response:**

**Draft statement from MSA:**

"Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate. This falls under the Controlled Drugs and Substances Act, which is a federal issue and something that is best answered by the federal government.

We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it."

Thank you,

Lori

## **Pearson, Nancy JAG:EX**

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 4:06 PM  
**To:** Cascaden, Lori R GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

No word yet from Jamie and he's in a meeting. Because Wendy Jackson had no concerns with the draft response and Neil MacKenzie has given you his opinion, and given the timeline, I recommend you go ahead. I'll let Jamie know.

Thanks for your patience.

---

**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Monday, July 6, 2015 3:12 PM  
**To:** Pearson, Nancy JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

Hi Nancy,

Am I still waiting for one more approval? I've received Sherri's and Neil's, just wanted to check if I am waiting for one (or more) to respond.

Such a rookie – hey!?

Thanks!

Lori

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 1:51 PM  
**To:** Cascaden, Lori R GCPE:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

Hi Lori,

I've moved this to the next person in the line-up. Stay tuned.

---

**From:** Lee, Sherri JAG:EX  
**Sent:** Monday, July 6, 2015 1:49 PM  
**To:** Pearson, Nancy JAG:EX; Cascaden, Lori R GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

The statement looks fine to me. There is no white paper that I'm aware of and I'm not aware of anyone in the Ministry who is studying this issue or drafting any documents on this subject; however, several of us are watching the situation in the US, which is consistent with what is mentioned in the statement below.

**From:** Pearson, Nancy JAG:EX  
**Sent:** Monday, July 6, 2015 1:19 PM  
**To:** Cascaden, Lori R GCPE:EX  
**Cc:** Lee, Sherri JAG:EX; Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

Hi Lori,

Once Sherri has had a chance to look at this, I have two other approvals to obtain. Stay tuned.

**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Monday, July 6, 2015 12:37 PM  
**To:** MacKenzie, Neil JAG:EX; Lee, Sherri JAG:EX  
**Cc:** Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX  
**Subject:** Media Request - Legalization of Marijuana

Hello Neil and Sherri,

We received the below media request, which includes our response based on previously approved messaging. Can you please review and provide me with your feedback prior to 5:00 pm today?

The reporter is also asking if there's an existing white paper on the legalization of marijuana in B.C. Do you know if such a document exists?

**Date/Time:** 6 July 11:05 am

**Deadline @** 5:00 pm

**Media:** Vancouver province

**Reporter:** Dan Fumano,<sup>s.22</sup> [dfumano@theprovince.com](mailto:dfumano@theprovince.com)

**Topic:** Legalization of Marijuana

**Background:** Would like statement but will accept background. Wednesday is the one-year anniversary of legalization of marijuana in Washington State. Reporter driving to Bellingham to speak to sheriffs, police, shops about the anniversary, will ask about experiences/problems, lessons learned. He says he may also call Ottawa for comment.

**Questions:** Could legalized marijuana come to BC? Has there been any discussion of the topic? Is there a white paper about this?

**Suggested Response:**

**Draft statement from MSA:**

"Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate. This falls under the Controlled Drugs and Substances Act, which is a federal issue and something that is best answered by the federal government.

We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it."

Thank you,

Lori



**Pearson, Nancy JAG:EX**

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**From:** MacKenzie, Neil JAG:EX  
**Sent:** Monday, July 6, 2015 1:55 PM  
**To:** Cascaden, Lori R GCPE:EX; Lee, Sherri JAG:EX  
**Cc:** Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX  
**Subject:** RE: Media Request - Legalization of Marijuana

I don't have any concerns from CJB with the proposed comment, bearing in mind that responsibility for these prosecutions lies with the federal crown, so it is not really a CJB issue. To the best of my knowledge, CJB has not been involved in any discussion of legalization.

Neil

**Neil MacKenzie**  
**Communications Counsel**  
**Criminal Justice Branch**  
**250 387-5169**

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---

**From:** Cascaden, Lori R GCPE:EX  
**Sent:** Monday, July 6, 2015 12:37 PM  
**To:** MacKenzie, Neil JAG:EX; Lee, Sherri JAG:EX  
**Cc:** Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX  
**Subject:** Media Request - Legalization of Marijuana

Hello Neil and Sherri,

We received the below media request, which includes our response based on previously approved messaging. Can you please review and provide me with your feedback prior to 5:00 pm today?

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**Media:** Vancouver province  
**Reporter:** Dan Fumano, <sup>s.22</sup>, [dfumano@theprovince.com](mailto:dfumano@theprovince.com)

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**Questions:** Could legalized marijuana come to BC? Has there been any discussion of the topic? Is there a white paper about this?

**Suggested Response:**

**Draft statement from MSA:**

"Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate. This falls under the Controlled Drugs and Substances Act, which is a federal issue and something that is best answered by the federal government.

We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it."

Thank you,

Lori

## **Pearson, Nancy JAG:EX**

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**From:** Zeeben, Jim GCPE:EX  
**Sent:** Tuesday, February 10, 2015 10:45 AM  
**To:** Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX  
**Cc:** Carwithen, Kelsie GCPE:EX  
**Subject:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT  
**Attachments:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT.docx

Nancy,

Can we get this IN through approvals asap?

This was one we initially decided not to push though with the others but we've now been asked by MO for an update.

Thanks

Jim

## Marijuana Use

### Washington State Legalization in U.S.

**MANDATE:** Ensure B.C. law is upheld.

**VALUE:** While legal in ~~Washington~~ some U.S. states, under Canadian law, marijuana, with the exception of medical marijuana, remains illegal.

#### **TOP MESSAGES:**

- I understand that some British Columbians will go to ~~Washington State~~ to those U.S. states where they can legally purchase and consume marijuana while there.
- It is important that British Columbians understand the potential consequences of crossing the border with marijuana in their possession.
- Canadian law will apply to marijuana legally purchased in ~~Washington State, Oregon or Alaska~~ and brought into B.C.

#### **SUPPORTING FACTS:**

#### **If asked about potential decriminalization in Canada:**

- Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate.
- This falls under the Controlled Drugs and Substances Act, it is a federal issue and something that is best answered by the federal government.

## Marijuana Use

### Washington State Legalization in U.S.

- We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it.

#### **BACKGROUND:**

As part of the U.S. general elections on Nov. 4, 2014, voters in Alaska approved a measure to legalize the production, sale, and distribution of recreational marijuana. On the same day, voters in Oregon passed Oregon Ballot Measure 91 (2014) which legalized the sale and use of recreational marijuana.

On July 7, 2014, the Washington State Liquor Control Board issued the first batch of legal retail marijuana licenses, making pot available to retail customers within 24 hours.

July 7, 2014: Media reports that the Washington State Liquor Control Board will issue the first batch of legal retail marijuana licenses today. This means pot could be available to retail customers within 24 hours.

In the U.S. 2012 election, residents of Washington State and Colorado voted by referendum to legalize and tax small amounts of marijuana.

Washington's measure establishes a system of state-licensed marijuana growers, processors and retail stores, where adults can buy up to an ounce. It also establishes a standard blood test limit for driving under the influence.

Canadian Legislation: The *Controlled Drugs and Substances Act* is federal legislation. Other than participating in FPT discussions on the act and related Criminal Code offences, B.C. has no authority over whether marijuana is decriminalized. The Sept. 28/11 *Safe Streets and Communities Act* (Bill C-10) fulfilled a June 2011 throne speech commitment to "move quickly to re-introduce comprehensive law-and-order legislation to combat crime and terrorism." The focus of the drug-related amendments in Bill C-10 is on: a) drug offences committed for the purpose of trafficking (whether possession, production, import/export); b) on Schedule I (heroin, cocaine, methamphetamine); and c) Schedule II (marijuana and cannabis resin) drugs.

Overall, B.C. has concerns about the effectiveness of mandatory minimum sentences and the costs to implement them.

Program Area	Deputy / ADM	GCPE
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## Marijuana Use

### Washington State Legalization in U.S.

Sherri Lee - July 8, 2014 Neil Mackenzie - July 8, 2014	Jay Chalke - July 8, 2014	Jim Zeeben - Jan. 15, 2015 Kelsie Carwithen - Tasha Schollen - July 7, 2014
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**Pearson, Nancy JAG:EX**

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**From:** Deitch, James JAG:EX  
**Sent:** Wednesday, February 11, 2015 10:42 AM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Lee, Sherri JAG:EX  
**Subject:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT  
**Attachments:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT.docx

Nancy:

Our revisions attached along with a comment. This should also be reviewed by CJB.

Thanks,            Jamie

## Marijuana Use

### Washington State Legalization in the U.S.

**MANDATE:** Ensure B.C. the law is upheld.

**Comment [DJJ1]:** This is not actually about BC law.

**VALUE:** While legal in ~~Washington~~ some U.S. states, under Canadian law, marijuana, with the exception of medical marijuana, remains illegal.

#### **TOP MESSAGES:**

- I understand that some British Columbians will go to ~~Washington State to~~ those U.S. states where they can legally purchase and consume marijuana while there.
- It is important that British Columbians understand the potential consequences of crossing the border with marijuana in their possession.
- Canadian law will apply to marijuana legally purchased in ~~Washington State, Colorado, Oregon or Alaska~~ elsewhere and brought into B.C.

#### **SUPPORTING FACTS:**

#### **If asked about potential decriminalization in Canada:**

- Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate.
- This falls under the Controlled Drugs and Substances Act, it is a federal issue and something that is best answered by the federal government.

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ADVICE TO MINISTER  
Jan. 15, 2015



## Marijuana Use

### Washington State Legalization in the U.S.

- We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it.

#### **BACKGROUND:**

As part of the U.S. general elections on Nov. 4, 2014, voters in Alaska approved a measure to legalize the production, sale, and distribution of recreational marijuana. On the same day, voters in Oregon passed Oregon Ballot Measure 91 (2014) which legalized the sale and use of recreational marijuana.

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July 7, 2014: Media reports that the Washington State Liquor Control Board will issue the first batch of legal retail marijuana licenses today. This means pot could be available to retail customers within 24 hours.

In the U.S. 2012 election, residents of Washington State and Colorado voted by referendum to legalize and tax small amounts of marijuana.

Washington's measure establishes a system of state-licensed marijuana growers, processors and retail stores, where adults can buy up to an ounce. It also establishes a standard blood test limit for driving under the influence.

Canadian Legislation: The *Controlled Drugs and Substances Act* is federal legislation. Other than participating in FPT discussions on the act and related Criminal Code offences, B.C. has no authority over whether marijuana is decriminalized. The Sept. 28/11 *Safe Streets and Communities Act* (Bill C-10) fulfilled a June 2011 throne speech commitment to "move quickly to re-introduce comprehensive law-and-order legislation to combat crime and terrorism." The focus of the drug-related amendments in Bill C-10 is on: a) drug offences committed for the purpose of trafficking (whether possession, production, import/export); b) on Schedule I (heroin, cocaine, methamphetamine); and c) Schedule II (marijuana and cannabis resin) drugs.

Overall, B.C. has concerns about the effectiveness of mandatory minimum sentences and the costs to implement them.

Program Area	Deputy / ADM	GCPE
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## Marijuana Use

### Washington State Legalization in the U.S.

Sherri Lee - July 8, 2014 Neil Mackenzie - July 8, 2014	Jay Chalke - July 8, 2014	Jim Zeeben - Jan. 15, 2015 Kelsie Carwithen - Tasha Schollen - July 7, 2014
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ADVICE TO MINISTER  
Jan. 15, 2015

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**Pearson, Nancy JAG:EX**

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**From:** Chalke, Jay JAG:EX  
**Sent:** Friday, February 13, 2015 1:03 PM  
**To:** Pearson, Nancy JAG:EX  
**Subject:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT  
**Attachments:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT.docx

See changes attached.

## Marijuana Use

### Washington State Legalization in the U.S.

**MANDATE:** Ensure B.C. the law is upheld.

**Comment [DJJ1]:** This is not actually about BC law.

**VALUE:** While legal in Washington some U.S. states, under Canadian law, possession of marijuana, with the exception of medical marijuana, remains illegal.

#### **TOP MESSAGES:**

- I understand that some British Columbians will go to Washington State to those U.S. states where they can legally purchase and consume marijuana while there.
- It is important that British Columbians understand the potential consequences of crossing the border with marijuana in their possession.
- Canadian criminal law will apply to marijuana brought into B.C. even if legally purchased in Washington State, Colorado, Oregon or Alaska elsewhere, and brought into B.C.

#### **SUPPORTING FACTS:**

#### **If asked about potential decriminalization in Canada:**

- Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate.
- This falls under the Controlled Drugs and Substances Act, it is a federal issue and something that is best

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## Marijuana Use

### Washington State Legalization in the U.S.

answered by the federal government.

- We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it.

#### **BACKGROUND:**

As part of the U.S. general elections on Nov. 4, 2014, voters in Alaska approved a measure to legalize the production, sale, and distribution of recreational marijuana. On the same day, voters in Oregon passed Oregon Ballot Measure 91 (2014) which legalized the sale and use of recreational marijuana.

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Canadian Legislation: The *Controlled Drugs and Substances Act* is federal legislation. Other than participating in FPT discussions on the act and related Criminal Code offences, B.C. has no authority over whether marijuana is decriminalized. The Sept. 28/11 *Safe Streets and Communities Act* (Bill C-10) fulfilled a June 2011 throne speech commitment to "move quickly to re-introduce comprehensive law-and-order legislation to combat crime and terrorism." The focus of the drug-related amendments in Bill C-10 is on: a) drug offences committed for the purpose of trafficking (whether possession, production, import/export); b) on Schedule I (heroin, cocaine, methamphetamine); and c) Schedule II (marijuana and cannabis resin) drugs.

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Program Area	Deputy / ADM	GCPE
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ADVICE TO MINISTER  
Jan. 15, 2015

## Marijuana Use

### Washington State Legalization in the U.S.

Sherri Lee - July 8, 2014 Neil Mackenzie - July 8, 2014	Jay Chalke - July 8, 2014	Jim Zeeben - Jan. 15, 2015 Kelsie Carwithen - Tasha Schollen - July 7, 2014
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**Pearson, Nancy JAG:EX**

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Friday, February 13, 2015 1:06 PM  
**To:** Zeeben, Jim GCPE:EX; Vermaning, Tiny JAG:EX  
**Cc:** Carwithen, Kelsie GCPE:EX  
**Subject:** RE: IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT  
**Attachments:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT.docx

Here's this one back at ya, Jim. Signed off by Sherri, Jamie and Jay.

**From:** Zeeben, Jim GCPE:EX  
**Sent:** Tuesday, February 10, 2015 10:45 AM  
**To:** Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX  
**Cc:** Carwithen, Kelsie GCPE:EX  
**Subject:** IN\_Marijuana Use\_Legalization in US\_ Jan 15 2015\_DRAFT

Nancy,

Can we get this IN through approvals asap?

This was one we initially decided not to push though with the others but we've now been asked by MO for an update.

Thanks

Jim

## Marijuana Use

### Washington State Legalization in the U.S.

**MANDATE:** Ensure ~~B.C. the~~ law is upheld.

**Comment [DJJ1]:** This is not actually about BC law.

**VALUE:** While legal in ~~Washington~~ some U.S. states, under Canadian law, possession of marijuana, with the exception of medical marijuana, remains illegal.

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ADVICE TO MINISTER  
Jan. 15, 2015



## Marijuana Use

### Washington State Legalization in the U.S.

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- We're certainly watching the events in the U.S. with interest as they unfold. This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it.

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Program Area	Deputy / ADM	GCPE
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## Marijuana Use

### Washington State Legalization in the U.S.

Sherri Lee - July 8, 2014 Neil Mackenzie - July 8, 2014	Jay Chalke - July 8, 2014	Jim Zeeben - Jan. 15, 2015 Kelsie Carwithen - Tasha Schollen - July 7, 2014
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## **Pearson, Nancy JAG:EX**

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**From:** Cadour, Jennifer GCPE:EX  
**Sent:** Wednesday, February 25, 2015 11:10 AM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** ASAP please: For approval: Updated IN: Marijuana legalization  
**Attachments:** IN\_Marijuana Use\_Legalization in US\_ Feb 13 2015\_DRAFT.docx  
  
**Importance:** High

Hi Nancy,

I've updated the attached note (which was one of Jim's) to reflect the fact that Alaska's legalization of marijuana is now official. This is a request from Premier's office, so we need this asap please.

The update is just one line in the background. Messaging hasn't changed. Line is as follows:

**As part of the U.S. general elections on Nov. 4, 2014, voters in Alaska approved a measure to legalize the production, sale, and distribution of recreational marijuana. On the same day, voters in Oregon passed Oregon Ballot Measure 91 (2014) which legalized the sale and use of recreational marijuana. On February 24, 2015, the measure became official in Alaska, though the regulatory structure is still being set up.**

Many thanks

Jennifer Cadour | Senior Public Affairs Officer  
Ministry of Justice Attorney General  
Government of British Columbia  
Phone: 250-953-3196

## **MARIJUANA USE**

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### **LEGALIZATION IN THE U.S.**

**MANDATE:** Ensure the law is upheld.

**VALUE:** While legal in some U.S. states, under Canadian law, possession of marijuana, with the exception of medical marijuana, remains illegal.

**TOP MESSAGES:**

- I understand that some British Columbians will go to those U.S. states where they can legally purchase and consume marijuana while there.
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**If asked about potential decriminalization in Canada:**

- Whether the decriminalization of marijuana is an appropriate strategy from a public health versus a law and order perspective has been the subject of long and public debate.
- This falls under the Controlled Drugs and Substances Act, it is a federal issue and something that is best answered by the federal government.
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- This situation provides us the opportunity to see how jurisdictions grapple with the legal implications of decriminalization and learn from it.

## MARIJUANA USE

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### LEGALIZATION IN THE U.S.

#### BACKGROUND:

As part of the U.S. general elections on Nov. 4, 2014, voters in Alaska approved a measure to legalize the production, sale, and distribution of recreational marijuana. On the same day, voters in Oregon passed Oregon Ballot Measure 91 (2014) which legalized the sale and use of recreational marijuana. On February 24, 2015, the measure became official in Alaska, though the regulatory structure is still being set up.

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In the U.S. 2012 election, residents of Washington State and Colorado voted by referendum to legalize and tax small amounts of marijuana.

Washington's measure establishes a system of state-licensed marijuana growers, processors and retail stores, where adults can buy up to an ounce. It also establishes a standard blood test limit for driving under the influence.

#### Canadian Legislation:

The *Controlled Drugs and Substances Act* is federal legislation. Other than participating in FPT discussions on the act and related Criminal Code offences, B.C. has no authority over whether marijuana is decriminalized.

The Sept. 28/11 *Safe Streets and Communities Act* (Bill C-10) fulfilled a June 2011 throne speech commitment to "move quickly to re-introduce comprehensive law-and-order legislation to combat crime and terrorism."

The focus of the drug-related amendments in Bill C-10 is on: a) drug offences committed for the purpose of trafficking (whether possession, production, import/export); b) on Schedule I (heroin, cocaine, methamphetamine); and c) Schedule II (marijuana and cannabis resin) drugs.

Overall, B.C. has concerns about the effectiveness of mandatory minimum sentences and the costs to implement them.

Program Area	Deputy / ADM	GCPE
Sherri Lee - Feb. 13, 2015 Jamie Dietch - Feb. 13, 2015 Neil Mackenzie - Feb. 13, 2015	Jay Chalke - Feb. 13, 2015	Jim Zeeben - Feb. 13, 2015 Kelsie Carwithen - Tasha Schollen - July 7, 2014

## Pearson, Nancy JAG:EX

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**From:** Pearson, Nancy JAG:EX  
**Sent:** Wednesday, February 25, 2015 11:34 AM  
**To:** Cador, Jennifer GCPE:EX  
**Cc:** Vermaning, Tiny JAG:EX; Lee, Sherri JAG:EX; Deitch, James JAG:EX  
**Subject:** RE: ASAP please: For approval: Updated IN: Marijuana legalization

Jay has approved this note with no changes, Jennifer.

---

**From:** Cador, Jennifer GCPE:EX  
**Sent:** Wednesday, February 25, 2015 11:10 AM  
**To:** Pearson, Nancy JAG:EX  
**Cc:** Vermaning, Tiny JAG:EX  
**Subject:** ASAP please: For approval: Updated IN: Marijuana legalization  
**Importance:** High

Hi Nancy,

I've updated the attached note (which was one of Jim's) to reflect the fact that Alaska's legalization of marijuana is now official. This is a request from Premier's office, so we need this asap please.

The update is just one line in the background. Messaging hasn't changed. Line is as follows:

**As part of the U.S. general elections on Nov. 4, 2014, voters in Alaska approved a measure to legalize the production, sale, and distribution of recreational marijuana. On the same day, voters in Oregon passed Oregon Ballot Measure 91 (2014) which legalized the sale and use of recreational marijuana. On February 24, 2015, the measure became official in Alaska, though the regulatory structure is still being set up.**

Many thanks

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