

Cornett, Kathy M PSSG:EX

From: Cornett, Kathy M PSSG:EX
Sent: Monday, June 20, 2016 10:12 AM
To: Gill, Manjit PSSG:EX; Chan-Kent, Marissa PSSG:EX
Cc: Kennard, Kimberley PSSG:EX; Westgate, Rachael PSSG:EX; Hoskins, Jeannie PSSG:EX; McAndrews, Caroline GCPE:EX; Pecknold, Clayton PSSG:EX; Sitter, Donna GCPE:EX; Holmes, Kjerstine L PSSG:EX; Enger, Tonia PSSG:EX; Butterfield, Nicole PSSG:EX; Dean, Danielle PSSG:EX; Anderson, Lisa R PSSG:EX; Chiang, Milena PSSG:EX
Subject: 516448 - Information BN re Fentanyl and Pill Presses
Attachments: 516448 - BN re Fentanyl and Pill Presses.pdf

The attached Briefing Note has been approved by Mark Sieben, Deputy Solicitor General, and is for Minister Morris' meeting on **Wednesday, June 29, 2016 at 3:00 pm**. Mark will be attending the meeting in person at PVO.

The Briefing Note has been added to the Minister's sharepoint site under the [meeting materials](#) tab.

Thank you, Kathy

Kathy Cornett

Senior Executive Administrative Assistant
Office of the Deputy Solicitor General
Ministry of Public Safety and Solicitor General
Phone: 250 387-5362 Fax: 250 387-6224

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Honourable Mike Morris, Minister of Public Safety and Solicitor General

ISSUE: Meeting with Alberta MLA Mike Ellis regarding fentanyl and pill presses

SUMMARY:

- Fentanyl, a synthetic opioid drug approximately 50 – 100 times more powerful than morphine, is related to a surge in overdose fatalities and non-fatal overdoses in British Columbia over the past few years.
- The BC Coroners Service believes that the drug is linked to a number of the 308 accidental illicit drug overdose deaths that have occurred in the province between January and May 2016. Law enforcement reports that the drug is illegally imported into Canada and pressed into tablets that resemble oxycodone pills.
- The problem in BC mirrors the situation in Alberta. In response to concerns in that province, Alberta MLA Mike Ellis introduced a Private Member's Bill (Bill 205) to restrict access to pill presses in that province. The Bill passed third and final reading in the Alberta legislature on May 23, 2016.
- While BC has long supported the introduction of restrictions on the importation and possession of pill presses and tableting machines because of their direct use in the manufacture of illicit drugs in BC, controls should be at the federal level to prevent diversion across provincial boundaries.

BACKGROUND:

- Fentanyl is popular in the illicit street drug trade in BC and the RCMP believe that it is imported in powder form from China and then used as a cutting agent for other drugs, as a direct substitution for heroin, or manufactured as counterfeit Oxycodone pills. Pill presses and tableting machines assist in the preparation of this drug for distribution to the Canadian market.
- In the United States the purchase and possession of this equipment is tightly controlled to deter illegitimate use. The possession and importation of pill presses and tableting machines is not regulated in Canada.
- The *Precursor Control Regulations* (PCR) to the *Controlled Drugs and Substances Act* (CDSA) provide controls on the import, export, production and distribution of precursor chemicals. The intent of the regulations is to control and monitor precursors used in the production of more dangerous drugs, while at the same time avoiding undue restrictions on their legitimate trade.

- At present, a licensed dealer wanting to import or export a controlled substance or precursor must obtain a permit from the Office of Controlled Substances within Health Canada. Health Canada inspectors monitor these licensees and have the authority to suspend or remove licenses for contraventions of the regulations.
- If Health Canada were to specify certain equipment to be included in the PCR, like pill presses and tableting machines, there would be enforcement tools for federal inspectors and police to respond to the illicit production of dangerous drugs like fentanyl.

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- The CACP Drug Abuse Committee is also recommending the regulation of chemicals that can be used to manufacture fentanyl and its analogs and the regulation of all W series compounds (e.g., W-18). The following chemicals have been suggested for inclusion in the Schedules to the CDSA: Propionyl chloride; and N-(1-phenethyl)-piperidin-4-one).
- Policing and Security Branch has had longstanding concerns with various areas of the CDSA and its regulations, as the framework poses challenges for police with respect to the enforcement of controlled substances offences in the province.
- Former BC Ministers of Public Safety have written to the Federal Ministers of Health and Public Safety on several occasions to request changes to the regime (see attachments).
- Dangerous street drugs like fentanyl and W-18 demonstrate the need for improvements related to the scheduling of substances and equipment that are direct inputs into illegal drug activity.
- Alberta has passed Bill 205, the Pharmacy and Drug (Pharmaceutical Equipment Control) Amendment to restrict access to pill presses and tableting machines used in the manufacture of illegal drugs.
- Due to the cross-jurisdictional nature of the drug trade in Canada, the federal government is in the best position to lead a coordinated national effort commencing with changes to the CDSA and PCR. Improvements to the scheduling of substances are needed as well as:
 - the introduction of controls on the sale and importation of certain equipment used in the production of illicit drugs, notably fentanyl, e.g., pill presses and tableting machines; and
 - the classification of two precursors used in the production of the fentanyl (Propionyl chloride and N-(1-phenethyl)-piperidin-4-one) as controlled substances.

OTHER MINISTRIES IMPACTED/CONSULTED:

- To date, the response to the issue of fentanyl overdoses and deaths has been led by the BC Provincial Health Officer and the BC Coroners Service who have actively engaged law enforcement in their response to increase public awareness over the dangers of the drug.
- The BC Drug Overdose and Alert Partnership (DOAP) was established to monitor trends and incidents to allow for early warning alerts related to illicit drugs including fentanyl. The DOAP is led by the BC Centre for Disease Control and has partnership representation from law enforcement (Vancouver Police Department, Victoria Police Department and 'E' Division RCMP), BC Coroners Service, health authorities and public health officials.

Prepared by:
Kjerstine Holmes
Director, Public Safety Initiatives
Policing and Security Branch
250-356-6676

Approved June 13, 2016 via email by:
Tonia Enger
Executive Director of Policing,
Law Enforcement and Deputy Director
of Police Services
Policing and Security Branch
604-660-6031

Approved June 14, 2016 by:
Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch
250-387-1100

Attachments:

1. December 5, 2008, letter from John van Dongen, Solicitor General, to Federal Ministers of Health, Public Safety, and Justice and Attorney General of Canada
2. April 16, 2009, letter from Leona Aglukkaq, Minister of Health, Ottawa, to John van Dongen, Solicitor General
3. February 2010, letter from Kash Heed, Solicitor General, to John Weston, M.P., West Vancouver-Sunshine Coast-Sea to Sky Country
4. Letter for signature by Minister Mike Morris to the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness

December 5, 2008

The Honourable Leona Aglukkaq, P.C., M.P.
Minister of Health
House of Commons
Ottawa ON K1A 0A6

The Honourable Peter Van Loan, P.C., M.P.
Minister of Public Safety
House of Commons
Ottawa ON K1A 0A6

The Honourable Robert Nicholson, P.C., Q.C., M.P.
Minister of Justice
and Attorney General of Canada
House of Commons
Ottawa ON K1A 0A6

Dear Ministers:

I would like to take this opportunity to thank your government for its efforts to address the deleterious effects of drug abuse and criminality associated with the production of drugs under the National Anti-Drug Strategy.

I also note that the reclassification of methamphetamine to a Schedule 1 substance under the *Controlled Drugs and Substances Act* (CSDA) and recent additions to the *Precursor Control Regulation* (PCR) has strengthened the response to synthetic drug production. Bill C-26 contained provisions, such as re-scheduling amphetamines under Schedule 1, which recognized the seriousness of the synthetic drug problem in Canada.

In addition, the federal government's recent agreement with British Columbia to fund 152 new police positions through the Police Officer Recruitment Fund will significantly bolster our effort to combat organized crime, which controls the synthetic drug trade.

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The Honourable Leona Aglukkaq, P.C., M.P.
The Honourable Peter Van Loan, P.C., M.P.
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While significant advances have been made, British Columbia is concerned with the extent to which illegal synthetic drug production has gained a foothold in our province. Organized crime groups are heavily invested in criminal enterprises directly and indirectly related to synthetic drug production in British Columbia. These groups have sophisticated distribution channels which allow their manufactured drugs to easily enter into the international markets, establishing Canada as a primary source country for illicit synthetic drugs.

In 2003, the RCMP dismantled a total of six clandestine synthetic drug labs in British Columbia – five producing methamphetamine and one producing MDMA (ecstasy). Four years later, 33 methamphetamine labs and 12 ecstasy labs were dismantled. Canada is now the number one exporter of ecstasy to the United States. Seizures of ecstasy en route to the United States from Canada have risen fivefold, with United States Customs and Border Protection reporting an increase from 1.1 million dosage units in 2004 to 5.2 million dosage units in 2006 (United States – Canada Border Drug Threat Assessment, 2007). Almost one half of those seizures occurred in British Columbia. Just over 80 per cent of all Canadian ecstasy laboratory seizures in 2006 were in British Columbia according to the United States Department of Justice 2008 National Drug Threat Assessment.

Most clandestine synthetic drug labs discovered in British Columbia are “super labs” producing vast amounts of finished product – as much as 40 kilograms per production cycle. Moreover, Health Canada advises that over 70 per cent of ecstasy produced in British Columbia clandestine labs contains other drugs such as methamphetamine, ketamine and GHB (a “date rape” drug).

The surging growth of ecstasy labs in British Columbia has fuelled a complementary increase in trafficking in precursors, chemicals and equipment used to produce ecstasy. From 2004 to 2006, the most frequently smuggled precursor chemicals from international sources into Canada for use in clandestine synthetic drug laboratories were ephedrine (for producing methamphetamine) and MDP2P (for producing ecstasy).

A recent gang-related fatal double shooting in front of a Vancouver restaurant illustrates the involvement of organized crime in synthetic drug production and precursor trafficking. The investigation into the double murder led police to a storage locker containing the following quantities of precursor chemicals:

- 875 kg Procaine (cutting agent for cocaine);
- 240 kg Sodium Borohydride (for production of MDMA or ecstasy);
- 4,600 kg Gamma-Butyrolactone (GBL) 20 per cent (base chemical for GHB not a precursor at 20 per cent);

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The Honourable Leona Aglukkaq, P.C., M.P.
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- 356 kg Methanol (solvent used in the production of any synthetic drug);
- 1,900 kg Methylamine HCL 99 per cent (used in the production of both Meth and MDMA); and
- 330 litres of 'Rim Brite Bio Metal Cleaner' (later found to be GBL).

It is important to note that none of these chemicals are controlled substances under the CDSA, yet all can be linked to drug production, especially at the quantities found.

Considering the extent of synthetic drug production in British Columbia, I would like to bring to your attention areas of concern in the federal regulatory and enforcement systems in responding primarily to the production and trafficking of synthetic drugs and trafficking in the precursors used in the production of these drugs, notably methamphetamine and ecstasy.

1. Enhancing the Regulatory Framework

The Controlled Drugs and Substances Act provides for the control, import, production, export, distribution and possession of psychoactive substances in Canada. However, the controls in place on these substances depend on the chemicals used in production, the strength of the precursors employed and the nature of the end product. When a new synthetic psychoactive substance emerges, the rigidity of the regulatory framework becomes evident and inconsistencies in the application of the law emerge. The scheduling of methamphetamine and ecstasy is illustrative of these differences.

Despite the dangers and criminality related to the production and trafficking of ecstasy, it is not yet a Schedule 1 controlled substance like methamphetamine, although Bill C-26 would have resulted in ecstasy being re-scheduled. In addition, producing ecstasy is a more complex process involving a wider array of chemicals. Some precursors, such as 3,4-methylenedioxyphenyl-2-propanone (commonly referred to as MDP2P) are currently classified. Other select chemicals, that are unclassified and have limited domestic or industrial use, are necessary to produce ecstasy:

- Sodium Borohydride and Sodium Cyanoborohydride are required to produce ecstasy and have almost no domestic use;
- Methylamine HCL (solid) and Monomethylamine (Gas) have limited domestic use but are widely used to produce synthetic drugs; and
- Iodine is now used by synthetic drug producers to produce hydriodic acid (which is a designated Class A substance). Relatively small amounts of iodine are used on farms and agricultural settings.

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The Honourable Leona Aglukkaq, P.C., M.P.
The Honourable Peter Van Loan, P.C., M.P.
The Honourable Robert Nicholson, P.C., Q.C., M.P.
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Solvents such as toluene, methanol, acetone, hexane and dichloromethane have domestic and industrial uses but are probably not required in the bulk quantities often found in clandestine synthetic drug laboratories.

Schedule VI of the *Controlled Drugs and Substances Act* lists 24 Class A precursors. Items 20 to 23 of that list are exempt if they are considered a preparation or a mixture. The Act does not define a preparation or mixture. Drug producers are therefore able to avoid committing an offence, for example, by adding a small amount of iodine to a solution of hydriodic acid. This exempts the hydriodic acid from the reach of the statute, yet permits the production of methamphetamine to proceed unhindered since hydriodic acid is derived from iodine and this mixture actually enhances the ability to produce methamphetamine.

Bill C-428 would have amended the *Controlled Drugs and Substances Act* to prohibit the production, possession and sale of any substance or any equipment or other material that is intended for use in production of or trafficking in methamphetamine. This amendment was recommended in the Methamphetamine Report for the Federal-Provincial-Territorial Ministers Response for Justice (July 2007) and endorsed by the Ministers of Justice at the October 2006 FPT Ministers Responsible for Justice meeting.

While this Bill would aid police and prosecutors in cases involving methamphetamines, it does not address other types of synthetic drug production or trafficking, or trafficking in precursors. For example, pill presses and encapsulating machines are currently unregulated and so are legally imported by organized crime groups or their affiliates for use in ecstasy production.

Recommendations:

- Classify and or control the precursors required to produce ecstasy, as noted above, under the *CDSA*;
- Remove the exemption found in Part 1 of Schedule VI exempting certain precursors when it is a mixture or preparation;
- Place controls on the sale and importation of certain equipment used in the production of ecstasy, e.g., pill presses; and
- Classify ecstasy as a Schedule 1 controlled substance under the *CDSA*.

2. Preventing Diversion

As noted above, the *PCR* has substantially aided Canada in reducing the volume of precursors that are legally imported. Still, legally imported precursors continue to be diverted into synthetic drug production.

The Honourable Leona Aglukkaq, P.C., M.P.
The Honourable Peter Van Loan, P.C., M.P.
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Dealers licensed under the *PCR* are required to record all suspicious sales and to maintain that record for two years. However, they are not required to submit records of suspicious sales to either police or Health Canada. Moreover, neither dealers nor Health Canada inspectors are legally obligated to alert police to suspicious transactions. A licensed dealer can legally sell Class A precursors to an unlicensed person if that person completes an "end user" statement claiming they will be the "end user" of the product. The precursor volume or number of purchases is unlimited and there is no record keeping requirement once the product leaves the licensee.

So, there is no mechanism for proactively alerting police when a licensee sells a large amount of a particular precursor to a buyer who is not in an industry which uses that precursor for legitimate purposes.

(The FPT report recommended establishing a suspicious-transaction database to monitor sales of precursors modeled after the FINTRAC system used in the banking industry for monitoring money laundering.)

There is no limit on the volume of precursors that licensees can import as long as they hold a licence and apply for an import permit.

Licensees are not subject to risk-based background checks to assess continued suitability and applicants are not investigated to determine ties to persons involved in criminal activity, including organized crime groups.

Health Canada inspectors have no authority to process charges under the *CDSA*.

There are currently two Health Canada inspectors in British Columbia, and Health Canada advises a third inspector is planned for British Columbia. However, this number still falls short of the inspection resources required in light of the volume of precursors used in illicit drug production and trafficking.

Recommendations:

- Mandatory reporting by licensees and Health Canada of all suspicious sales of precursors to police;
- Mandatory reporting of sales of precursors to "end users" reported to police or stopped entirely;
- Establish integrated teams of RCMP, Health Canada inspectors and federal prosecutors to investigate licensees suspected of diverting precursors;

The Honourable Leona Aglukkaq, P.C., M.P.
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- Establish rigorous standards for licensees including background checks on all directors and officers and require applicants to undergo investigation to assess fitness; and
- Immediately add five Health Canada inspectors to British Columbia in recognition of the serious synthetic drug production and precursor trafficking problem.

British Columbia is committed to addressing drug-related crime and disorder. Since 2005, British Columbia has lead Canada in responding to crystal methamphetamine with a \$7 million aggressive strategy supporting prevention, community awareness, school-based and treatment coordinated through a provincial secretariat. I believe the recommendations I have outlined above are consistent with this approach. To demonstrate our commitment to action, we will be bringing this issue forward through the National Coordinating Committee on Organized Crime and other federal/provincial/territorial forums.

I look forward to your government's positive response and your continued national commitment to reduce the synthetic drug footprint and shrink a major revenue source for organized crime.

Yours sincerely,

Original signed by:

John van Dongen
Solicitor General

pc: The Honourable Wally Oppal
The Honourable Mary Polak
The Honourable George Abbott

PCSB/SJP

BEGG/TATCHELL/SMITH

C/368971

Minister of Health

Ministre de la Santé

Ottawa, Canada K1A 0K9

APR 15 2009

The Honourable John van Dongen, M.L.A.
Solicitor General
Ministry of Public Safety
Province of British Columbia
P.O. Box 9053 Stn. Prov. Govt.
Victoria, British Columbia V8W 9E2

Dear Minister:

Thank you for your correspondence of December 5, 2008, co-addressed to the Honourable Peter Van Loan, Minister of Public Safety, and the Honourable Rob Nicholson, Minister of Justice and Attorney General of Canada, concerning possible amendments to the *Controlled Drugs and Substances Act* (CDSA) and the *Precursor Control Regulations*, as well as broader strategies for preventing the diversion of precursors for illegal use in synthetic drug production. I regret the delay in responding.

Please be assured that I share your concerns about trends relating to synthetic drug production. I would like to emphasize this department's commitment to ensuring that the Regulations are effective and are acting in the best interests of all Canadians. Stakeholder consultation will be a critical component of regulatory review. I look forward to further dialogue with representatives from your organization and others in the near future.

With respect to the list of chemicals subject to the controls imposed by the Regulations, Health Canada is obligated to carefully assess all new chemicals for scheduling purposes against a set of criteria that includes information about legitimate use, illicit use, and risks to the health and safety of Canadians. Therefore, this assessment process must balance the benefits of scheduling from a diversion reduction perspective against the impacts of increased controls on the legitimate chemical and pharmaceutical industries in Canada. The same consideration holds true for equipment in that the machinery and materials used in clandestine laboratories are not currently regulated in Canada. We will have to carefully consider what authorities are required in the CDSA or other legislation before such equipment can be regulated.

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Canada

As you may be aware, Health Canada plans to achieve the expeditious rescheduling of ecstasy from Schedule III to Schedule I of the CDSA via Bill C-15, introduced in the House of Commons on February 27, 2009.

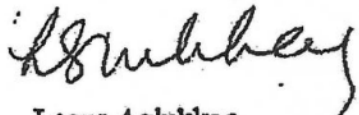
With respect to the possibility of requiring mandatory reporting of suspicious transactions of precursor chemicals by regulated parties and Health Canada to law enforcement agencies, this requires further consideration because we must be mindful of the protections established under the *Canadian Charter of Rights and Freedoms* and the *Privacy Act* as they relate to the sharing of information collected by Health Canada for administrative purposes. The same considerations apply to any changes to the current requirements surrounding the disclosure of client lists or other information associated with end-use declarations made by regulated parties.

While I understand your concern about the apparent disconnect between the ongoing increase in the number of clandestine laboratories found in your province and the allocation of regional Health Canada inspectors, it is important to note that the inspection program is focused on ensuring compliance among regulated parties and that inspectors are, therefore, allocated in accordance with the geographic distribution of current licensed dealers. The Department will continue to work with law enforcement agencies and border services personnel to eliminate the clandestine production of synthetic drugs. In this regard, I am committed to exploring the merits of requiring broader background checks on individuals applying for a precursor licence or registration.

I have asked Health Canada officials to follow up with representatives from your department as amendments to the Regulations progress.

Thank you for writing.

Sincerely,



Leona Aglukkaq

c.c. The Honourable Peter Van Loan, P.C., M.P.
The Honourable Rob Nicholson, P.C., Q.C., M.P.

Mr. John Weston, M.P.
West Vancouver-Sunshine Coast-Sea to Sky Country
House of Commons
Ottawa ON K1A 0A6

Dear Mr. Weston:

I am writing further to our discussion concerning Bill C-475, an Act to amend the *Controlled Drugs and Substances Act* (CDSA). I would also like to thank you for your efforts to introduce this bill and state my support to further Canada's commitment to combat illegal synthetic drug production and trafficking.

In the last five years, police in British Columbia have responded to over 161 clandestine labs, chemical seizures and dumpsites related to illegal ecstasy and methamphetamine production. The clandestine labs have been discovered in houses, apartments, barns, commercial properties and in vehicles. As you are no doubt aware, synthetic drug labs in British Columbia are large-scale economic labs that are constructed to produce large quantities of synthetic drugs. These labs produce quantities greater than five kilograms per production cycle and, in some instances, 40 kilograms per cycle. At least six kilograms of waste is produced for every kilogram of finished product. These waste products are typically dumped causing serious environmental damage.

Synthetic drug production has spawned extensive trafficking in the precursors, chemicals and equipment used to produce these illegal drugs. In British Columbia, the RCMP's Drug Enforcement Branch reports that other (unregulated/unscheduled) chemicals (precursors and reagents) and materials are easy and inexpensive to acquire. Moreover, they have witnessed large amounts of these chemicals and materials being sold, transported and stored. There is evidence that chemical precursors are also being diverted from legitimately imported precursor shipments.

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Mr. John Weston, M.P.

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The RCMP reports that clandestine lab operators utilize a wide array of equipment and supplies for the production of illegal drugs. These include specialized scientific equipment such as larger sized heating mantles and round bottom flasks, condensing columns, magnetic stirrers, and pill presses/encapsulating machines. While there are no controls preventing the importation or sale of these items, there is very limited use for them outside of specialized industrial applications.

The amendments to the CDSA contained within Bill C-475 would prove especially useful to police in cases where an active illegal synthetic drug production lab is taken down but no finished product is evident. In those cases, the equipment and chemicals present would be evidence which could be sufficient grounds for police to proceed with a report to Crown counsel on charges against an individual involved in the production. If passed, Bill C-475 would also be useful for targeting persons involved in the importation of certain precursor chemicals that are not currently scheduled, but are necessary ingredients for the production of ecstasy or methamphetamine.

While Bill C-475 will address some gaps in the current legislation, I would recommend that the Bill's scope be extended to cover all illegal synthetic drugs and their precursors to address British Columbia's broad concerns over all illegal synthetic drug production. Moreover, the effects of the Bill would be enhanced by changes to the CDSA and Precursor Control Regulations to close the gaps in Canada's system for regulating precursor chemicals used in synthetic drug production. I have expressed these concerns to the Honourable Vic Toews, Minister of Public Safety, and conveyed my views that the rigidity of the regulatory framework currently favours organized crime groups who are exploiting Canada's laws to trade and profit in precursor chemicals. The system of scheduling precursor chemicals is time-consuming and burdensome. Furthermore, diversion of chemicals from licensed dealers continues due to minimal reporting and inspection rules. Addressing these gaps will significantly aid police and augment the positive objective of Bill C-475.

I look forward to your government's positive response and your continued commitment to reduce the synthetic drug footprint in Canada. I would be pleased to meet with you and discuss other means to affect positive change with respect to the illegal drug industry in our province.

Yours truly,

Original signed by:

Kash Heed
Solicitor General

pc: The Honourable Vic Toews

PCSB/PSD

BEGG/TACHELL/HOLMES/SMITH

C/383754

The Honourable Ralph Goodale, P.C., M.P.
Minister of Public Safety and Emergency Preparedness
House of Commons
Ottawa ON K1A 0A6

Dear Minister Goodale:

I am writing further to a letter that my colleague, the Honourable Terry Lake, Minister of Health, and I sent to the Honourable Jane Philpott, Minister of Health, expressing concerns over the alarming upward trend of illicit drug overdose deaths in British Columbia. In 2014, there were 365 deaths that the BC Coroner's Office linked to illicit drug overdoses. In 2015, this number rose to 474 and during the period of January–May 2016, 308 deaths have been attributed to illicit drug overdoses.

The prevalence of illicit drug overdoses in the province has resulted in a strong response from our provincial public health colleagues. You may be aware that new powers enacted by the Provincial Health Officer under the BC *Public Health Act* are allowing the sharing of information regarding the circumstances related to an overdose when that incident has been attended to by emergency personnel or other health care workers. This information will be analyzed by the BC Centre for Disease Control to assist in response to the public health crisis related to these overdoses. Similarly, public awareness campaigns like "Toward the Heart" target opioid use and provide information on recognizing and responding to a fentanyl overdose.

While public health activities including public awareness campaigns, warnings over tainted drugs, and the distribution of naloxone training and kits can assist in preventing future overdoses and deaths, there must also be efforts made on the enforcement side to respond to the production and trafficking of these dangerous illicit street drugs. I understand that Alberta has passed Bill 205, the Pharmacy and Drug (Pharmaceutical Equipment Control) Amendment to restrict access to pill presses and tableting machines within that province. This targeted response will assist in the prevention of manufacturing and trafficking associated with illegal drugs in Alberta. However, as the illicit drug trade does not abide by provincial boundaries, I feel that it is imperative that there is a consistent national approach led by the federal government to prevent a patchwork of provincial laws.

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The Honourable Ralph Goodale, P.C., M.P.

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Accordingly, I am calling for the federal government to lead a coordinated national effort to the problem, commencing with changes to the *Controlled Drugs and Substances Act* and *Precursor Control Regulation*. To strengthen the enforcement response to synthetic drug production, I am requesting that the federal government:

- Place controls on the sale and importation of certain equipment used in the production of illicit drugs, notably fentanyl (e.g. pill presses and tableting machines); and
- Classify two precursors used in the production of the fentanyl (Propionyl chloride and N-(1-phenethyl)-piperidin-4-one) as controlled substances under the *Controlled Drugs and Substances Act*.

My ministry has had long standing concerns with various areas of the *Controlled Drugs and Substances Act* and its regulations, as the framework poses challenges for police with respect to the enforcement of controlled substances offences in the province. A timelier, more responsive process is needed to keep criminal law current on drugs and precursors of concern. Dangerous street drugs like fentanyl and W-18 demonstrate the need for improvements related to the scheduling of substances and equipment that are direct inputs into illegal drug activity that threaten the safety and security of our citizens.

I look forward to your government's urgent attention to this serious problem.

Sincerely,

Mike Morris
Minister of Public Safety
and Solicitor General

pc: The Honourable Terry Lake
The Honourable Suzanne Anton

PSPB

PECKNOLD/ENGER/HOLMES

C/516455

Cornett, Kathy M PSSG:EX

From: Butterfield, Nicole PSSG:EX
Sent: Friday, June 17, 2016 10:23 AM
To: Cornett, Kathy M PSSG:EX
Cc: Pecknold, Clayton PSSG:EX; Anderson, Lisa R PSSG:EX; Holmes, Kjerstine L PSSG:EX; Sitter, Donna GCPE:EX; Hoskins, Jeannie PSSG:EX; Thompson, Angella N PSSG:EX; Koehle, Leah PSSG:EX; Dean, Danielle PSSG:EX; Chiang, Milena PSSG:EX
Subject: 516448 - BN for Information re: MMM's mtg MLA Mike Ellis of Alberta - Jun 21
Attachments: C516448_160613 BN_MMM_Fentanyl and Pill Presses TEr.docx; C516448_Attachment_1.pdf; C516448_Attachment_2.pdf; C516448_Attachment_3.pdf; C516448 Attachment 4.docx

Hi Kathy:

The attached BN has been approved by ADM Pecknold and is being forwarded to you for DSG Sieben's approval and further distribution to the Minister's office for Minister Morris' meeting on June 21st.

Please Note –Attachment 4, i.e. letter from MMM to Minister Goodale (C516455) has been approved by ADM Pecknold and is currently with Angella for processing

Thanks,

Nicole

From: Hoskins, Jeannie PSSG:EX
Sent: Thursday, June 9, 2016 10:36 AM
To: Butterfield, Nicole PSSG:EX
Cc: Cornett, Kathy M PSSG:EX
Subject: FW: Meeting request from MLA Mike Ellis of Alberta

Hi Nicole,

Mark will attend this meeting with the Minister on the 21st. They have also requested a BN if you could please arrange for one.

Thank you.
Jeannie

From: Kennard, Kimberley PSSG:EX
Sent: Thursday, June 9, 2016 10:13 AM
To: Hoskins, Jeannie PSSG:EX
Subject: FW: Meeting request from MLA Mike Ellis of Alberta

Hi Jeannie,
Can Mark be available for a 1 PM meeting in Vancouver on June 21st with MLA Mike Ellis from AB Government?

Thanks,
Kim



Kimberley Kennard
Administrative Coordinator
Minister's Office of Public Safety and Solicitor General
Room 028, Parliament Buildings

(Ph) 250-356-2125
(Cell) 250-893-9019
Email: kimberley.kennard@gov.bc.ca

From: Terri Kemball <Terri.Kemball@assembly.ab.ca>
Sent: Wednesday, June 08, 2016 2:01 PM
To: Kennard, Kimberley PSSG:EX
Subject: RE: Meeting request from MLA Mike Ellis of Alberta

Thanks for the quick response! June 21 in the afternoon would work very well.

Terri Kemball
Legislative Coordinator

780.644-2520 I c. 780.293.0782 I 4th Floor, Federal Building, 9820 107 St., Edmonton,
AB T5K 1E7

-----Original Message-----

From: Kennard, Kimberley PSSG:EX [<mailto:Kimberley.Kennard@gov.bc.ca>]
Sent: Wednesday, June 8, 2016 2:50 PM
To: Terri Kemball <Terri.Kemball@assembly.ab.ca>
Subject: Re: Meeting request from MLA Mike Ellis of Alberta

Hello Terri,

Victoria is wonderful! I will work with my Chief of Staff to see when we can fit this meeting in.

Minister Morris will be in Victoria on June 20th. Could we tentatively look at that date to set a meeting up? He will be in Vancouver the afternoon of June 21 if that is easier.

Thanks,

Kim

From: Terri Kemball <Terri.Kemball@assembly.ab.ca>
Sent: Wednesday, June 08, 2016 1:46 PM
To: Kennard, Kimberley PSSG:EX
Subject: Meeting request from MLA Mike Ellis of Alberta

Hi Kim,

It's nice to touch base with you in your position in the Office of the Minister of Public Safety and Solicitor General. Hope all is well for you in lovely Victoria.

MLA Ellis, who is a former Calgary police officer, is hoping to arrange a meeting with Minister Morris to discuss his Private Member's Bill, the Pharmacy and Drug Act (Pharmaceutical Equipment Control) Amendment, 2016. The legislation, which was approved unanimously in the Alberta Legislature and comes into force on January 1, 2017, regulates pill and tablet presses, providing police with a powerful new tool to control the manufacture of counterfeit drugs, such as fentanyl and W-18.

If a meeting is possible, MLA Ellis will be available most of the summer and can make fairly quick travel arrangements.

Thanks for considering this request, and if more information is required, don't hesitate to let me know.

Terri Kemball
Legislative Coordinator for
Mike Ellis
MLA, Calgary-West
PC Caucus Critic for Justice and Solicitor General

780.644.2520 I c. 780.293.0782 I 4th Floor, Federal Building, 9820 107 St., Edmonton,
AB T5K 1E7

Cornett, Kathy M PSSG:EX

From: Cornett, Kathy M PSSG:EX
Sent: Thursday, June 30, 2016 10:30 AM
To: Butterfield, Nicole PSSG:EX
Cc: Hoskins, Jeannie PSSG:EX; Pecknold, Clayton PSSG:EX; McAndrews, Caroline GCPE:EX; Sitter, Donna GCPE:EX; Logie, Linette PSSG:EX; McLean, Kimberley M PSSG:EX; Dean, Danielle PSSG:EX
Subject: MMM APPROVED: 516431 - Decision BN re Biology Casework Analysis (BCA) Options
Attachments: 516431 - BN re Biology Casework Analysis (BCA) Options - signed by MMM.pdf

Hi Nicole,

Approved MMM Decision Briefing Note attached. Minister Morris approved the recommended option (1).

Thank you, Kathy

From: Cornett, Kathy M PSSG:EX
Sent: Friday, June 24, 2016 12:44 PM
To: Gill, Manjit PSSG:EX; Chan-Kent, Marissa PSSG:EX
Cc: Kennard, Kimberley PSSG:EX; Westgate, Rachael PSSG:EX; Hoskins, Jeannie PSSG:EX; McAndrews, Caroline GCPE:EX; Pecknold, Clayton PSSG:EX; Sitter, Donna GCPE:EX; Logie, Linette PSSG:EX; McLean, Kimberley M PSSG:EX; Butterfield, Nicole PSSG:EX; Dean, Danielle PSSG:EX
Subject: 516431 - Decision BN re Biology Casework Analysis (BCA) Options

The attached Briefing Note has been approved by Mark Sieben, Deputy Solicitor General, and is for the **DECISION** of the Minister.

Please advise if a briefing is required.

Thank you, Kathy

Kathy Cornett

Senior Executive Administrative Assistant
Office of the Deputy Solicitor General
Ministry of Public Safety and Solicitor General
Phone: 250 387-5362 Fax: 250 387-6224

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION by the Honourable Mike Morris, Minister of Public Safety and Solicitor General

ISSUE: Biology Casework Analysis (BCA) Options

DECISION REQUIRED/RECOMMENDATION:

s.13

SUMMARY:

- The RCMP provides laboratory services through its Forensic Science and Investigative Services (FS&IS) to all RCMP-policed Provinces/Territories. The Province contracts with the Government of Canada (Agreements Respecting Biology Casework Analysis (BCAA) 2014-2024) for the RCMP to provide DNA analysis services to police and other agencies (e.g. Crown) in BC. Quebec and Ontario have their own laboratories.
- The Ministry has indicated it would be conducting a review of alternate service delivery models s.13 to ensure the new agreement was in the best interest of BC taxpayers. The Ministry is seeking direction before proceeding further in this exploration.

BACKGROUND:

- Since 2004, BC has contributed \$1.366 million per year to Canada for DNA analysis services under previous Biology Casework Analysis Agreements. As the demand for and cost of providing the service increased, in recent years this represented less than 20% of the actual costs of providing this service.
- In 2013, the Federal Government advised that it would no longer continue to provide DNA analysis services at the historic flat rate contribution amount and would require reimbursement based on actual costs. All Provinces and Territories (PTs) entered into negotiations and have signed new Agreements Respecting Biology Casework Analysis (BCAAs) 2014-2024, committing to the contribution of actual costs based on usage at a cost share of 54% PT/46% federal after a three year escalation period.
- Under the new agreement, the Province continues to fund at the historical level of \$1.366 million as a deduction from the gross annual DNA billing and will also pay for

the Provincial Business Line share of DNA costs estimated at \$.4 million annually. BC's costs escalated over a three year phase in period from the previous flat rate of \$1.366 million by fixed charges of an additional \$1.177 million, \$2.267 million and \$4.538 million for 2014/15 to 2016/17 based on cost sharing percentages of 28%, 40% and 54% respectively. Starting January 1, 2016, police agencies were required to contribute funding beyond that level in order to continue receiving the services.

- In 2015/16, the invoice to municipalities for the one-quarter year payment ranged from approximately \$500 to approximately \$400,000 – the invoices for 2016/17 ranged from approximately \$800 to \$675,000.
- In 2015, the Ministry issued a Request for Information (RFI) from interested parties regarding the supply of DNA analysis services to BC policy agencies. Through the RFI process, the Ministry received responses from four labs that indicated they had the capacity to process and provide reports for 2,500 service requests within industry standard turnaround times for body fluid identification, exhibit screening, and DNA testing per year; had the appropriate accreditation; had the ability to comply with Crown standards for disclosure; and had the appropriate security clearances for personnel and arrangements for physical and electronic security. s.13,s.1 s.13,s.16
- s.13,s.16,s.21
- The Ministry has had some very preliminary internal consultation with the Ministry of Health/Health Authorities s.13, as well as with the Animal Health Centre laboratory in Abbotsford (that lab does not have the capacity or required accreditation for such work).
- RCMP FS&IS provides services beyond DNA analysis (e.g. firearms testing); however, the Province and police departments do not pay for any of the other services.

OPTIONS:

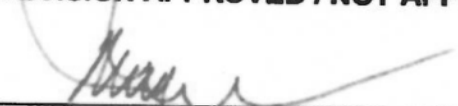
s.13

OTHER MINISTRIES IMPACTED/CONSULTED:

- Ministry of Health – initially consulted but more detailed discussion will be required with ADMs, Deputy Minister and Minister if the direction is to continue exploring options.

DECISION APPROVED / NOT APPROVED

DATE:


Honourable Mike Morris
Minister of Public Safety and Solicitor General

2016-06-29

Prepared by:
Linette Logie
First Nations Coordinator
Police Boards, Governance & First
Nations, and Auxiliary Reserve
Constable Program
Policing and Security Branch
250-356-0531

Approved by:
Kimberley McLean
Director
Boards, Appointments and
Strategic Initiatives
Policing and Security Branch
250-387-2787

Approved June 23, 2016 by:
Clayton Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch
250 387-1100

Cornett, Kathy M PSSG:EX

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Please advise if a briefing is required.

Thank you, Kathy

Kathy Cornett

Senior Executive Administrative Assistant
Office of the Deputy Solicitor General
Ministry of Public Safety and Solicitor General
Phone: 250 387-5362 Fax: 250 387-6224

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
POLICING AND SECURITY BRANCH
BRIEFING NOTE**

PURPOSE: For DECISION by the Honourable Mike Morris, Minister of Public Safety and Solicitor General

ISSUE: Biology Casework Analysis (BCA) Options

DECISION REQUIRED/RECOMMENDATION:

s.13

SUMMARY:

- The RCMP provides laboratory services through its Forensic Science and Investigative Services (FS&IS) to all RCMP-policed Provinces/Territories. The Province contracts with the Government of Canada (Agreements Respecting Biology Casework Analysis (BCAA) 2014-2024) for the RCMP to provide DNA analysis services to police and other agencies (e.g. Crown) in BC. Quebec and Ontario have their own laboratories.
- The Ministry has indicated it would be conducting a review of alternate service delivery models (s.13) to ensure the new agreement was in the best interest of BC taxpayers. The Ministry is seeking direction before proceeding further in this exploration.

BACKGROUND:

- Since 2004, BC has contributed \$1.366 million per year to Canada for DNA analysis services under previous Biology Casework Analysis Agreements. As the demand for and cost of providing the service increased, in recent years this represented less than 20% of the actual costs of providing this service.
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OPTIONS:

s.13

OTHER MINISTRIES IMPACTED/CONSULTED:

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DECISION APPROVED / NOT APPROVED

DATE:

Honourable Mike Morris
Minister of Public Safety and Solicitor General

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