

# CANNABIS LEGISLATION



Presented to the Greater Sudbury Police Services Board  
October 23, 2018



# Agenda

- Overview of Legislation
- Federal Legislation – *Cannabis Act*
- Provincial Legislation – *Cannabis Control Act*
- Internal Training
- Fit for Duty Procedure
- Public Education and Awareness
- Impaired Driving
- Cannabis Related Complaints
- Cost Impacts



# OVERVIEW OF LEGISLATION

## PREVIOUS (CDSA)

CDSA (Controlled Drugs & Substance Act)  
\*Will Be Repealed on October 17, 2018 for Cannabis Only\*

## CURRENT (FEDERAL)

Federal Cannabis Act  
**12-18 years** of age have different guidelines than Adults

## CURRENT (ONTARIO)

Provincial Cannabis Control Act, 2017  
**19 Years** of age or older **ONLY**



# Federal Legislation – *Cannabis Act*

- Purpose – to legalize and regulate the possession, production, sale and distribution of recreational cannabis.
- The *Act* removed cannabis related offences from the *Controlled Drugs and Substances Act (CDSA)*
  - 13 Federal Charges
- *Cannabis Act*
  - 33 Federal Charges



# Federal Legislation – *Cannabis Act*

## POSSESSION: SECTION 8

- Anyone 18+ can possess up to 30 grams of dried cannabis or equivalent
- Any “young person” (12-17) can possess between 0-5 grams of dried cannabis or equivalent





# Federal Legislation – *Cannabis Act*

## DISTRIBUTION (Share): SECTION 9

- Anyone 18+ can share up to 30 grams of dried cannabis or equivalent with another adult (18+)
- No one 18+ can share cannabis with a young person or organization
- No one 18+ can share cannabis that they know was not purchased from a licensed producer/authorized retailer
- Any young person (12-17) can share up to 5 grams of dried cannabis
- No one can possess cannabis for the purpose of distributing contrary to Section 9(1)



# Federal Legislation – *Cannabis Act*

## SELLING: SECTION 10

- No one can sell cannabis to anyone or to an organization
- No one can possess cannabis for the purpose of selling it to anyone or to an organization



# Federal Legislation – *Cannabis Act*

## PRODUCTION: SECTION 12

- Anyone 18+ can grow and harvest up to 4 cannabis plants in dwelling/on property
- Only 4 cannabis plants can be grown and harvested in one dwelling at any given time even if two or more individuals, 18+, are living in the same dwelling
- No young person can grow or harvest any cannabis plant
- No one may obtain cannabis by manufacturing, synthesis, or altering the chemical or physical properties, or to alter by use of an organic solvent





# Provincial Legislation – *Cannabis Control Act*

- You must be **19 and older** to buy, use, possess, and grow **recreational** cannabis
- The Ontario Cannabis Store website is the **only legal option for purchasing recreational cannabis**. It follows strict rules set by the federal government
- You are able to have a maximum of 30 grams (about one ounce) of dried cannabis in public at any time
- You are able to grow up to four plants per residence (not per person)
- **Zero tolerance for young, novice and commercial drivers**



# Provincial Legislation – *Cannabis Control Act*

## Where you can smoke and vape cannabis:

- **Private residences** – this does **not** include residences that are also workplaces
- **Many outdoor public places** (e.g. sidewalks, parks)
  - \*Additional restrictions on smoking and vaping may exist in municipal bylaws, lease agreements, and the policies of employers and property owners.



# Provincial Legislation – *Cannabis Control Act*

Where you **CANNOT** smoke and vape cannabis:

- **indoor common areas** in condos, apartment buildings and university/college residence
- enclosed public places and enclosed work places
- **Schools and places where children gather (playgrounds/daycare)**
  - Off grounds and 20+ meters away
- **Hospitals, hospices, care homes and other facilities**
  - Off grounds and 9+ meters away
- **Vehicles and boats**
  - You (passengers included) cannot consume cannabis (smoking, vaping, eating) in a vehicle or boat that is being driven or is at risk of being put into motion
- **Other outdoor areas**
  - Patios, recreational facilities, sheltered outdoor areas

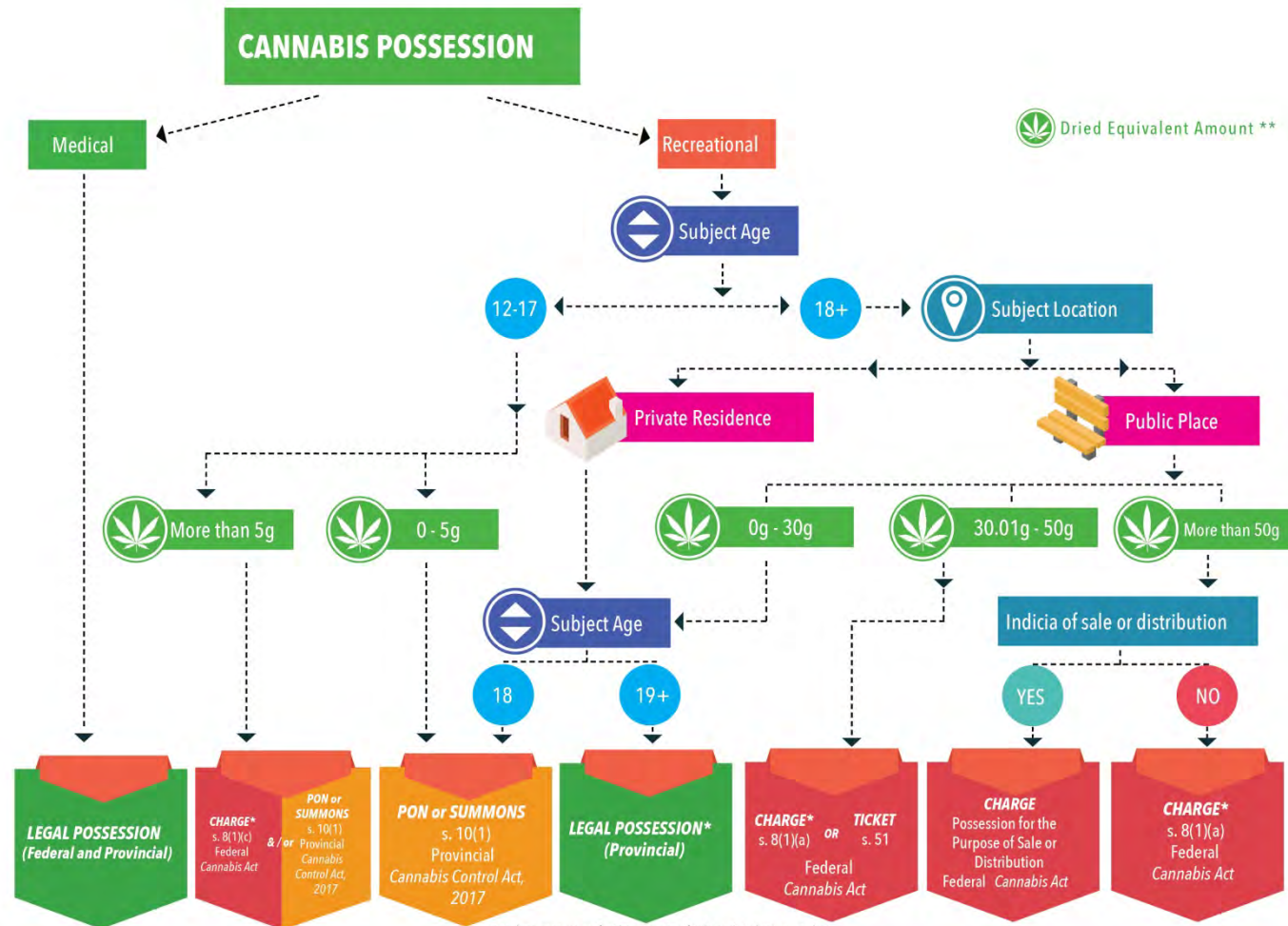


# Internal Training

- Canadian Police Knowledge Network (CPKN)  
Federal training module
  - Canadian Association of Chiefs of Police (CACCP)
  - Royal Canadian Mounted Police (RCMP)
- Waiting on Provincial training through the Ontario Police College (OPC)
- Full-day in-service training; Federal and Provincial *Acts*
- Additional line-up presentations
- Development of quick reference guide



# Internal Training – Quick Reference Guide



\* Unless possession for the purpose of sale or distribution applies  
 \*\* Dried equivalent amount calculated as per Schedule 3 of the Federal Cannabis Act





# Fit for Duty Procedure

- “Fit for Duty” means that a member is mentally, emotionally, and physically able to safely and competently perform assigned duties, without any limitations attributable, but not limited to, illness, injury, mental stress, or the use and/or after effects of intoxicating substances.
- Members are responsible to report for work fit for duty and remain fit for duty for the entire time they are conducting Police Service business.
- Supervisors have a duty to assess members under their supervision to determine if they are fit for duty.



# Public Education and Awareness



# Impaired Driving

- Remains a significant concern
- Standard Field Sobriety Test (SFST) trained officers
  - Currently 35 SFSTs
  - Goal – all frontline members trained
- Drug Recognition Experts (DRE)
  - Currently three DREs
  - Two more by end of March 2019
  - Only training program available in United States
  - All Police Service across Canada vying for spots
- DRAGER5000
  - Considerations
- Reduce Impaired Driving Everywhere (RIDE) Grant funding under review



# Cannabis Related Complaints

- Complaints related to *Smoke-Free Ontario Act*
  - Call Public Health Sudbury & Districts 705-522-9200 extension 235
- Odour complaints
  - Call City of Greater Sudbury By-law Department at \*311
- Individuals using cannabis in a car/on a boat
  - Call Police at 705-675-9171
- Impaired Driver
  - Call 911
- You can find a list of the Federal and Provincial offences on our website, [www.gsps.ca](http://www.gsps.ca)



# Cost Impacts/Increases

- Cost impact on operations and deployment of resources due to shift in enforcement/education demands
  - Estimated 2% budget
- New costs
  - Training – addition to already demanding training
  - Equipment
  - Staffing – OT/Specialty pay premiums





# Cost Impacts

Service Wide – Legislative In-service Training	\$132,000
Standard Field Sobriety Testing (SFST) Service-wide	\$420,000
Drug Recognition Expert (DRE) *Per candidate cost	\$11,000
SFST and DRE Premiums *\$800 qualified candidate	\$168,000
Roadside Screening Equipment and Supplies	\$270,000
<i>Overtime</i>	u/k
<i>Enforcement of Thefts, Suicides, Break and Enters, Robberies, Mischief</i>	u/k
<i>Impaired Driving/Motor Vehicle Collision Investigations/RIDE</i>	u/k
<i>Neighbour Disputes/Illicit Marketing/</i>	u/k
<i>Youth Education and Prevention</i>	u/k
<i>Blood Drawing Process/Property Management &amp; Preservation</i>	u/k



# Cost Impacts

- Training
  - Bill C-45, Bill C-46, Provincial Regulations
  - One eight-hour training day
- Standard Field Sobriety Testing (SFST)
  - Goal to train all officers – 32 hour course
- Drug Recognition Expert (DRE)
  - 120 hour course – two weeks in Canada/one week in Florida
- Premium pay associated with specialized designation \$800/year
- Increase in RIDE Spot Checks



# Closing Thoughts



# Questions

