



Published January 10th, 2018

Is Lafayette ready for cannabis?

By Pippa Fisher

With the legalization of recreational marijuana effective from the beginning of this month, does the wording of Ordinance 660, adopted by the city council at the end of 2017 to impose further restrictions, go far enough?

In November 2016, voters passed Proposition 64 making the recreational use of cannabis for adults legal, effective Jan. 1. The proposition allows adults 21 years and older to possess up to one ounce of cannabis and to be able to cultivate up to six plants per property for personal use.

Furthermore, local jurisdictions are able to impose reasonable regulations of their own on indoor and outdoor cultivation and operating cannabis-related businesses within the city. In November the Lafayette City Council unanimously adopted Ordinance 660 prohibiting outdoor cannabis cultivation and all commercial cannabis activities with the exception of cannabis deliveries originating outside the city.

Additionally Lafayette has added wording to ensure that all deliveries within the city from state licensed retailers can only be transacted for electronic payments, to address concerns about delivery drivers carrying large amounts of cash.

Environmental Prevention Program Director at the Center for Human Development Jaime Rich says that she is very concerned that both Orinda and Lafayette have allowed mobile delivery.

"Allowing mobile delivery simply brings more marijuana into the community and into homes increasing access for young people," says Rich. "There are no written procedures for a van driver delivering marijuana to know how to check IDs. How do we know that they won't be delivering to someone under 21? We don't." Rich questions whether police are prepared for issues around deliveries.

"If there is a police officer in California who did not see this (legalization) coming a long time ago, they are living with their head in the sand," says Lafayette Police Chief Eric Christensen.

He concedes that there really is no way to monitor deliveries out there right now. "My main concern is regarding deliveries that may come into Lafayette from out of town," he says. "Any time that people carry cargo that has value, or cash, they increase the probability of some type of problem.

"Officers are going to come across people who are making deliveries when they stop them for a vehicle code violation," says Christensen. "One of the things that we have tried to reduce in Lafayette through our municipal code section is the amount of cash that the driver carries. Our code identifies that transactions need to be made using an electronic payment to the distributor, who then delivers the product. The driver should only have an invoice and the product, which keeps them a lot safer."

Overall, Christensen says, he doesn't expect a significant impact on police operations. "For years now we have had medicinal marijuana and when that transition happened there were some significant growing pains. I don't expect those same problems as we have already dealt with this issue for several years.

"One area where we may see an increase in activity is in our code enforcement unit, which deals with smoking violations," adds the chief. "It's likely that we will receive a few more complaints regarding people who believe that it is now lawful to smoke in a public place, which may not be the case."

Rich is particularly concerned about how the new laws will impact schools and youth. "Basically, the perception of harm for marijuana has always been low; 'It's natural, right?' Now that it will be legal, it will seem even more benign for all, including youth."

Rich makes the point that it's not only your '60s smokeable joint. "Marijuana can be infused into almost anything - liquids, foods, etc.

"Also with the many forms of marijuana, goes an increased concentration of THC," says Rich. "Edibles contain more THC usually than a regular joint and marijuana in the form of wax is the most dangerous of all - being often as high as 98 percent THC."

Rich notes that young people are increasingly using vape pens. "They are easy to conceal and can look like mascara, pens and even thumb drives. Also there is no telltale marijuana smell produced by the use of a vape pen." She says that teachers and parents have to navigate this ever-changing landscape of marijuana often without much knowledge of what to look for.

Additionally Rich is concerned that young people may also be checking out of their normal teen lives because they are relying on marijuana for all of their pleasure. "The things that used to make them happy - sports, listening to music, exercising, hanging out with friends - can stop bringing the same results as a young person relies more and more on marijuana to connect with all of their pleasure sites in their brain."

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