



AGENDA

Marijuana 101: An Introduction to Legal Marijuana for Law Enforcement

June 1, 2017

8:30 a.m. to 12:30 p.m.

Board of Supervisors Hearing Room
800 South Victoria Avenue, Ventura, CA

- | | |
|---------------|--|
| 8:30 – 9:30 | An overview of Prop. 64 and the Adult Use of Marijuana Act (AUMA); Marijuana the drug and its many products and derivatives; State and Federal conflicts |
| 9:30 – 10:30 | Medical Marijuana – Medical Cannabis Regulation & Safety Act (AB 266, AB 243, AB 643); Recreational Marijuana Businesses |
| 10:30 – 10:40 | Break |
| 10:40 – 11:30 | Law Enforcement & Prosecution Challenges – Issues concerning possession, consumption, cultivation, distribution, and driving offenses; California Legislative & Regulatory Updates |
| 11:30 – 12:30 | Enforcement of marijuana crimes post legalization (criminal, administrative & regulatory, and civil); Other issues concerning employment and private property rights. |



Understanding Legal Marijuana

Understanding Legal Marijuana
Chris Halsor
607 10th Street, Suite 102
Golden, CO 80401
chris@understanding420.com
303-547-0470

Prop. 64/AUMA

Amendment 64 (Recreational) (2012) –

≥ 21 . . .

- Possess, process, transport, purchase, obtain or give away not more than 28.5 grams/1 oz. of marijuana;
- Possess, process, transport, purchase, obtain or give away not more than 8 grams of concentrated marijuana;
- Possess, transport, purchase, obtain, use, manufacture or give away marijuana accessories (paraphernalia);
- Plant, cultivate harvest no more than six plants within a private residence, or upon the grounds of that private residence at one time;
- Cultivated marijuana in excess of 1 oz. is kept within the person's private residence in a locked space, not visible by normal unaided vision from a public place.
- May lawfully smoke or inject marijuana or marijuana products, but cannot open & publicly consume;

Notes:

Federal Government

Ogden Memo (2009)

Cole Memo (2012)

1. Preventing the distribution of marijuana to minors;
2. Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs and cartels;
3. Preventing the diversion of marijuana from states where it is legal under state law in some form to other states;
4. Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;
5. Preventing violence and the use of firearms in the cultivation and distribution of marijuana;
6. Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use;
7. Preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands; and
8. Preventing marijuana possession or use on federal property.

State Regulation

Notes:

Oversight Entities:

Department of Consumer Affairs - Shall have exclusive authority to create issue, renew, discipline suspend and revoke licenses for transportation, storage, distribution and sale of marijuana

Department of Food & Agriculture - Shall have authority to create, issue and revoke cultivation licenses

Department of Public Health - Shall have authority to create, issue and suspend or revoke manufacturing and testing licenses.

Other entities:

Marijuana Control Appeals Panel
State Board of Equalization – taxes
Board of Forestry & Fire Protection
Department of Fish & Wildlife
State Water Resources Board/Regional Boards

Environmental Enforcement

- California Environmental Quality Act
- California Endangered Species Act
- Clean Water Act
- Porter-Cologne Water Quality Control Act

Cultivation Oversight

Indoor and outdoor marijuana cultivation by persons and entities . . . shall be conducted in accordance with state and local laws related to .

..

- Land conversion
- Grading
- Electricity
- Water Usage
- Water Quality
- Woodland and riparian habitat protection
- Agricultural Discharges

Colorado Municipalities & Counties

Large

- City & County of Denver
- Aurora

Medium

- Pueblo
- Boulder
- Longmont

Small

- Breckenridge
- Cortez
- San Miguel County

Impact Studies

- Colorado Department of Public Safety – 2 year Study SB-13-283 Report
- Washington Baseline Impact Study
- National Survey on Drug Use & Health
- Washington State Fatal Crashes Report

Marijuana Terminology

Trichomes – crystalline hairs on the bud and sugar leaf of female plants that contains plant's THC.

Indica – major sub-strain of marijuana characterized by a body high. In medical marijuana terms, acts as a muscle relaxant. Users may experience "Couch Lock"

Sativa – major sub strain of marijuana characterized by head high. More high energy and invigorating than an Indica.

Hybrid – product or strain that contains both Indica & Sativa.

Kief – the powdered residue created by mechanically stripping off the trichomes with a grinder.

Concentrate – the end product of chemically extracting the plant's trichomes with solvents or other methods.

Dabbing – the smoking of marijuana concentrate utilizing pieces of paraphernalia such as Oil Rigs or torches.

Butane Hash Oil – concentrate manufactured using compressed butane as the chemical stripping agent. Volatile and dangerous.

Notes:

PROP 64

11362.1 (a) LAWFUL ACTS for a person 21 or older
(These are not punitive sections)

- (1) Possess, process, transport (not transport for sale), purchase, obtain, or give away not more than 28.5 grams (not concentrated cannabis)
- (2) Possess, process, transport (not transport for sale), purchase, obtain, or give away not more than 8 grams of concentrated cannabis (CC)
- (3) Possess, plant harvest, cultivate, dry, or process not more than 6 living marijuana plants
- (4) Smoke or ingest marijuana or marijuana products
- (5) Possess, transport, purchase, obtain, use, manufacture, or give away marijuana accessories to persons 21 or older without compensation

11362.1 (c)

Marijuana and marijuana products involved in lawful activity are not considered contraband nor subject to seizure, and no conduct deemed lawful shall constitute basis for detention, search, or seizure.



UNLAWFUL ACTS

Possession

Refer to back page of the trifold

Possess open container in a vehicle

Refer to back page of the trifold

POSSESS ON SCHOOL GROUNDS

- Under 18 not more than 28.5g
 - 11357(d) (I)
- 18+ not more than 28.5g
 - 1st offense - 11357(c)(1) (I)
 - 2nd + conviction - 11357(c)(2) (M)

POSSESSION FOR SALE

- Under 18 - 11359(a) (I)
- 18+ - 11359(b) (M)
- 18+ with prior convictions and/or environmental acts - 11359(c) (F/M)
 - Refer to 11359(c) for felony qualifications
- 21+ using someone 20 or younger to sell, cultivate, give away, transport - 11359(d) (F/M)

Qualified patients and their caregivers can potentially possess more than 28.5 grams of medical marijuana in compliance with the regulations of Prop 215 and SB 420. The amount possessed must be consistent with the patient's medical needs. Refer to 11362.5 through 11362.83.



Transport/Give Away/Offer to Give Away/Import/Administer/Furnish/Sell (Transport under 11360 means transport for sale)

- Under 18 - 11360(a)(1) (I)
- 18 + - 11360(a)(2) (M) (This section applies to transport more than one ounce since (b) applies to one ounce or less or this applies if less than one ounce if imported into or out of the state)
- 18 + more than 28.5 g or 4g CC import or transport into or out of the state 11360(a)(3)(D) (F/M)
 - Additional **felonies** refer to 11360(a)(3)
- 18 + not more than 28.5 grams 11360(b) (I)
- 18 + sell to a minor - 11360(a)(3)(C) (F/M)

Note: Persons 21 years of age or older are permitted to transport (not transport for sale) not more than 28.5 g of marijuana and 8 g of CC per 11362.1(a) as long as transport in a vehicle is in a closed container.

Planting/Harvesting/Processing/Cultivating

- Under 18 - 11358(a) (I)
- 18 but less than 21 not more than 6 living plants - 11358(b) (I)
- 18+ more than 6 living plants - 11358(c) (M)
- 18+ with prior convictions and/or environmental violation (F/M)
 - Refer to 11358(d)(1)




OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF VENTURA

MEMORANDUM

April 13, 2017

TO: VENTURA COUNTY LAW ENFORCEMENT COORDINATING
COMMITTEE

FROM: GREGORY D. TOTTEN 
DISTRICT ATTORNEY

SUBJECT: UNDERSTANDING LEGAL MARIJUANA

I am pleased to announce a training opportunity. We have secured the services of Chris Halsor, one of the most knowledgeable, experienced and dynamic experts in the field of legal marijuana, to present a four-hour training for law enforcement on June 1, 2017. It is scheduled from 8:30 a.m. to 12:30 p.m. in the County Board of Supervisors Hearing Room. Mr. Halsor is a dynamic and skilled presenter who has experienced the growth of industries and accompanying problems associated with the legalization of marijuana since its inception in Colorado more than three years ago.

Mr. Halsor is a Colorado attorney, former 14-year prosecutor, and the founder of Understanding Legal Marijuana, LLC. He spent six years working for the Colorado District Attorney's Council where he served as the state's first Traffic Safety Resource Prosecutor providing training and technical assistance to Colorado law enforcement and prosecutors regarding all facets of impaired driving. He is one of the country's foremost experts on marijuana-impaired driving. Mr. Halsor served as a member of the Colorado Governor's regulatory committee addressing marijuana-infused edibles and was a substitute member of the committee on grow limitations. Mr. Halsor has been a Colorado POST-certified trainer for the past three years and in collaboration with the Attorney General's office, developed a four-hour course: *Marijuana 101: An Introduction to*

Legal Marijuana for Law Enforcement. Mr. Halsor was recently hired by the Nevada Attorney General's Office to act as the state's Traffic Safety Resource Prosecutor for rural counties.

Mr. Halsor is the creator and lead instructor of *Marijuana Impaired Driving - Basic Edition and Drug Recognition Expert (CRE)* Edition and teaches law enforcement and prosecutors how to more effectively investigate marijuana-impaired driving cases. This course included the first of its kind use of a *Green Lab* where volunteers are dosed with marijuana and officers are allowed to perform SFSTs and other maneuvers.

Following the morning presentation, Mr. Halsor will be presenting a three-hour seminar for policymakers and local public officials from 2:00 to 5:00 p.m. During that session, Mr. Halsor will cover understanding and regulating the industry, the power of local government, cultivation, commercial retail establishments, quality of life issues for communities, municipal regulation, and scalability.

I strongly encourage you, your command staff, and your officers to attend the law enforcement presentation. As mentioned above, Mr. Halsor is a POST-certified trainer in Colorado. He is seeking California certification and hopes this will occur before June 1.

I will send a similar notice of this opportunity to your city leaders, county officials, and other policy leaders for the afternoon presentation.

Finally, seating in the Board Hearing Room is limited, so please notify Management Assistant Edith Ball at edith.ball@ventura.org or (805) 654-2354 if you and members of your agencies plan to attend. Thank you.

GDT:jd



VENTURA COUNTY DISTRICT ATTORNEY'S OFFICE

TRAINING OPPORTUNITIES

LEGAL MARIJUANA

POST Certified* – MCLE Training

June 1, 2017 • 8:30 a.m. to 12:30 p.m.

Marijuana 101: An Introduction to Legal Marijuana for Law Enforcement

The morning session is open to all local law enforcement agencies and prosecutors. It will focus on the effective investigation and prosecution of marijuana-impaired driving cases, grow limitations and enforcement, and marijuana-infused edibles.

June 1, 2017 • 2:00 p.m. to 5:00 p.m.

Understanding and Regulating Legal Marijuana

The afternoon session for policy leaders will focus on best practices for marijuana and medical marijuana implementation since the passage of Proposition 64 in California.

**Government Center - Hall of Administration
Board of Supervisors Hearing Room
800 South Victoria Avenue • Ventura, California**

Presenter: Chris Halsor, former prosecutor, and founder of Understanding Legal Marijuana, LLC, has experienced the growth of industries and accompanying problems associated with the legalization of marijuana since its inception in Colorado more than three years ago.

*POST certification pending

The Ventura County District Attorney's Office is a State Bar of California approved MCLE provider. The morning class will qualify for 3.75 hours general credit by the State Bar. The afternoon class will qualify for 2.75 hours general credit by the State Bar.

Please R.S.V.P. to Edith.Ball@ventura.org no later than May 25, 2017.

Seating is limited. Please arrive 10 minutes prior to class time.