

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

24 October 2016 / 24 octobre 2016

Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

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**SUBJECT: RESPONSE TO OUTSTANDING INQUIRY #I-16-06: MARIJUANA
DISPENSARIES IN OTTAWA**

**OBJET: RÉPONSE À LA DEMANDE DE RENSEIGNEMENTS NO I-16-06:
DISPENSAIRES DE MARIJUANA À OTTAWA**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receive this report for information.

RECOMMANDATIONS DU RAPPORT

**Que la Commission de services policiers d'Ottawa prenne connaissance du
présent rapport à titre d'information.**

BACKGROUND

At the Ottawa Police Services Board meeting on 26 September 2016 Chair El-Chantiry submitted the following Inquiry and asked that the response be reported back to the Board at its next meeting:

Chair El-Chantiry stated that several of his colleagues on City Council have inquired about the many marijuana dispensaries currently operating illegally in Ottawa. Their ward residents are concerned about having these illegal shops in their neighborhoods, and they want to be informed of the Ottawa Police Service's position on this issue. Also, Ontario Attorney General Yasir Naqvi recently stated that it is up to the police to decide how they approach enforcement related to the activities of these shops. Given

that, what action has the Ottawa Police Service decided to take regarding illegal marijuana dispensaries in Ottawa?

The Ottawa Police Service (OPS) is aware of the various marijuana dispensaries throughout the city and our investigative efforts and monitoring of them is ongoing. The OPS will not detail those efforts so as not to jeopardize the process.

We realize and respect the concerns being raised by several councillors who are reflecting what they are hearing from members of their community.

The OPS has approached the Federal Crown Attorney's Office and it has indicated a willingness to prosecute viable files that are presented to them.

Each location is to be investigated separately and presented to them on their own merits as an individual file. This is a time-consuming process and requires a great deal of investigative effort if we are to present the best possible evidence to a court.

Each location has to be prioritized based on differing factors. One of those factors is the community concern to a particular location. In essence, if the assigned investigators note an increase in reported public complaints to OPS regarding a specific location that will be taken into consideration.

From a community perspective, we ask councillors to encourage people to contact the OPS to file legitimate complaints regarding a dispensary. By legitimate we are referencing something that goes beyond personal beliefs about marijuana or beliefs that marijuana should not be available to anyone at anytime. There is a proven and accepted need for medicinal marijuana. It is the limitations surrounding access to that medicinal marijuana that has caused the Supreme Court to indicate that dispensaries are at the heart of access.

We as a police agency are being asked to take action related to an area that is seeing a major shift in societal acceptance. The regulations related to this issue are increasingly difficult to navigate. The new regulations presented by Health Canada have only been in effect since Aug 24th.

Health Canada has deemed dispensaries to be outside their regulations for medicinal marijuana but there are no enforcement components under those same regulations. The only available option is to criminalize persons engaged in possessing marijuana. That is something Canadians have very clearly asked the Government to ensure no longer takes place.

We continue to move forward on this file. A number of shops have closed down as a result of actions against them. Property owners are being involved in the processes and enforcement efforts are ongoing.