



Written Submission to the Standing Senate on Social Affairs, Science and Technology

C-45 – The Cannabis Act

Canadian Association of Chiefs of Police

April 30, 2018

300 Terry Fox Drive, Suite 100/ 300, promenade Terry Fox, suite 100, Ottawa, Ontario K2K 0E3
Tel: (613) 595-1101 • Fax/Télécopieur: (613) 383-0372 • E-mail/Courriel: cacp@cacp.ca

David H. Hill, C.M./Q.C., Lynda A. Bordeleau General Counsel/Conseillers juridiques
Perley-Robertson, Hill and McDougall LLP Barristers & Solicitors/Avocats et Procureurs

Speaking Notes: Personal Cultivation and Possession

- The CACP recommends that any *Cannabis Act* provisions related to personal cultivation be removed.
- We predict that personal cultivation will result in over production and the manipulation of growth patterns which will place a greater demand on police resources, including increased calls for service and investigations.
- Paragraph 8(1)(e) of the Act states that individuals may possess up to four budding cannabis plants. From an enforcement perspective, and as evidenced from the legalization experiences of Colorado and Washington, this provision is problematic, as monitoring the precise amount of plants produced in personal dwellings is limited, if not impossible.
- Concerns regarding cultivation identified by these states include significant workload/resource increases; increase in cannabis seizures due to over production by residential growers; large scale marijuana grows; and an increase in time and police resources allocated to enforcing the new laws.
- The CACP predicts that growers will likely attempt to circumvent the rules, and processes will be developed to grow plants wider and taller due to the lack of height and width restrictions of home-grown cannabis plants within the Act.
- Further, given that cannabis will now be readily accessible in homes, there are risks that this may lead to increased exposure and consumption among youth. The CACP submits that the personal cultivation provisions are counter to the Bill's stated objective of protecting youth.
- In addition, since the Act remains silent as to the quantity of cannabis that may be possessed in the home, this leaves open the possibility that individuals can store cannabis that is sourced both legally and illegally, making it challenging for police to determine whether it was acquired lawfully.
- The CACP recommends that provisions limiting the amount of cannabis allowed to be stored within the home be introduced in the Act. The cultivation capacity of 4 plants per year is being greatly under-appreciated. There are many variables, however, typically each plant

can produce approximately 1 to 3 ounces of cannabis, 4 times yearly. This amounts to a potential cultivation of 48 ounces per home per year assuming that legal limits are adhered to. The CACP submits that this should be a guiding factor in assessing legal possession limits within the home.

- In sum, training and education will be required in order to enable police and members of the public to identify between licit and illicit cannabis, to allow for effective enforcement and compliance. Given these challenges, the CACP requests further reconsideration of the personal cultivation provisions.