



CALIFORNIA CANNABIS INDUSTRY ASSOCIATION

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Do medical marijuana dispensaries increase crime?"

Many opponents of medical marijuana claim that medical marijuana dispensaries lead to an increase in crime rates in the areas they surround. Some opponents have also begun to claim that Mexican drug cartels have gotten involved in the industry as well.

They claim dispensaries attract thieves and robbers to the facilities and breed secondary crimes in surrounding areas. These claims have prompted empirical and statistical analyses by researchers and law enforcement agencies. In what should not come as a surprise, given the robust security at most medical marijuana facilities, these studies have routinely shown that, contrary to popular opinion, dispensaries are not magnets for crime. Instead, these studies suggest that dispensaries are no more likely to attract crime than any other business, and in many cases, by bringing new business and economic activity to previously abandoned or run-down retail spaces, dispensaries actually contribute to a reduction in crime.

This is a brief summary of anecdotal and scientific evidence, including law enforcement data analyses and academic research on medical marijuana dispensaries and their effect on crime.

2009 Los Angeles Police Department survey – In response to debate over medical marijuana regulations by the Los Angeles City Council, and outcry from medical marijuana opponents that dispensaries were magnets for crime, Los Angeles Police Chief Charlie Beck asked his department to produce a report comparing the robbery rates of L.A. banks and medical marijuana dispensaries. The report indicated that there were 71 robbery reports filed with the LAPD at the city's 350 banks. Despite there being far more medical marijuana dispensaries — more than 800 at the time according to Beck — there were fewer robbery reports filed at dispensaries; just 47.

When asked about the report, and claims that dispensaries are crime magnets, Beck said, "I have tried to verify that because, of course, that is the mantra. It really doesn't bear out. ... Banks are more likely to get robbed than medical marijuana dispensaries."(2)

2009 Denver Police Department survey – An analysis of robbery and burglary rates at medical marijuana dispensaries conducted by the Denver, Colorado Police Department at the request of the Denver City Council found that the robbery and burglary rates at dispensaries were lower than area banks and liquor stores and on par with those of pharmacies. Specifically, the report found a 16.8 percent burglary and robbery rate for dispensaries, equal to that of pharmacies. That's lower than the 19.7 percent rate for liquor stores and the 33.7 percent rate for banks, the analysis found (3).

2010 Denver Police Department analysis –

In late 2010, the Denver Police Department looked at crime rates in areas in and around dispensaries. The analysis showed that through the first nine months of 2010, crime was down 8.2% relative to the same period in 2009. The decrease was comparable to the city's overall drop in crime of 8.8%.(4)

The Denver Post completed a similar analysis and found that crime rates in some areas with the highest concentration of dispensaries saw bigger decreases in crime than neighborhoods with no dispensaries. (5)

2010 Colorado Springs Police Department analysis – An analysis by the Colorado Springs Police Department found that robbery and burglary rates at area dispensaries were on par with those of other businesses. Specifically, the department's data indicated that there were 41 criminal incidents reported at the city's 175 medical marijuana businesses in the 18-month period ending August 31, 2010. Meanwhile, over that same period, there were 797 robberies and 4,825 burglaries at other city businesses. These findings led the department's spokesman, Sgt. Darrin Abbink, to comment, "I don't think the data really supports [dispensaries] are more likely to be targeted at this point." (6)

2013 Letter from City of Richmond Police Chief – In 2013 when the City of Richmond came under attack from the DA's office about choosing to regulate storefront collectives. Richmond Police Chief Chris Magnus, who takes no formal position on dispensaries, wrote in a letter to the Council regarding RCC which stated that "we have not seen spikes in crime in the other areas where dispensaries currently operate." Richmond has four open dispensaries.

UCLA study, "Exploring the Ecological Link Between Crime and Medical Marijuana Dispensaries," October 2011 – In what is likely the most comprehensive analysis of the relationship, or lack thereof, between dispensaries and crime, researchers from UCLA, funded by the National Institute on Drug Abuse, used data from 95 census tracts in Sacramento to analyze two types of crime (violent and property) in areas with varying concentrations of dispensaries. What they found is that while factors traditionally understood to lead to increased crime — for example, large percentages of land zoned for commercial rather than residential use, a high percentage of one-person households, the presence of highway ramps, and a higher percentage of the population being ages 15-24 — were positively associated with crime in those areas, "the density of medical marijuana dispensaries was not associated with violent or property crime rates." In their conclusion, the researchers said, "[t]hese results suggest that the density of [medical marijuana dispensaries] may not be associated with increased crime rates or that measures dispensaries take to reduce crime (i.e., doormen, video cameras) may increase guardianship, such that it deters possible motivated offenders." (8)

Specifically, the study applied the "routine activity theory" of crime, which suggests that crime is more likely when three criteria are met: (1) a motivated offender, (2) a suitable target, as defined by factors like value, visibility, and access, and (3) a lack of guardianship such as low residency or poor security. The authors hypothesized that the lack of a relationship between dispensaries and crime could be attributable to either of two possible conclusions: either medical marijuana dispensaries were no more valuable a target than other businesses in the area — a possibility

supported by the law enforcement surveys in L.A. and Denver discussed above — or heightened security at dispensaries was sufficient to deter criminal activity in the area. Regent University study, June 2011 – Researcher Maura Scherrer of Regent University looked at the perception of crime, and medical marijuana dispensaries' impact on crime, among residents of Denver neighborhoods with varying socio-economic profiles. In so doing, she found that most crimes, including robbery, vandalism, and disorderly conduct increased in Denver from 2008 to 2009. However, in areas within 1,000 feet of a dispensary, rates were down for most types of crime, including burglary, larceny, and a 37.5% reduction in disorderly conduct citations. In her conclusion the author notes, "it appears that crime around the medical marijuana centers is considerably lower than citywide crime rates; a much different depiction than originally perceived."(9)

Notes:

1* The Denver Post, January 24, 2011.

http://www.denverpost.com/news/marijuana/ci_17178820#ixzz1ngbvMOll.

2* "LAPD Chief: Pot clinics not plagued by crime," Los Angeles Daily News, January 17, 2010.

http://www.dailynews.com/news/ci_14206441.2

3* "Analysis: Denver pot shops' robbery rate lower than banks," The Denver Post, January 27, 2010. http://www.denverpost.com/ci_14275637.

4* See note 1, supra.

5* *Id.*

6* "Marijuana shops not magnets for crime, police say," Fort Collins Gazette, September 14, 2010. <http://www.gazette.com/articles/wall-104598-marijuana-brassfield.html>.

7*

<http://blog.sfgate.com/smellthetruth/2013/08/23/marijuana-myths-scuttle-richmond-dispensary/>

8* <http://www.uclamedicalmarijuanaresearch.com/node/10.3>

9* Study available at <http://adr.coalliance.org/codr/fez/view/codr:983>.

From: cityclerk
Subject: FW: Medical Marijuana Ordinance

From: Michele Brooke [<mailto:brookelawgroup@gmail.com>]
Sent: Monday, November 23, 2015 2:22 PM
To: Tornek, Terry
Cc: Bell, Cushon; Chong, Cheynne; Morales, Margo; Cruz, Christian (Field Rep); West, Jana; Sullivan, Noreen; De La Cuba, Vannia; Madison, Steve; Thyret, Pam
Subject: Medical Marijuana Ordinance

Dear Mayor Tornek and Council Members,

It has come to my attention the City Council is considering requesting of the drafting an anti-medical marijuana ordinance. I am a Marijuana Law attorney in the City of Pasadena and I think this is a terrible idea, for at least the following reasons:

- You have a significant number of Medical Marijuana users in Pasadena and the surrounding areas, especially a growing senior group of patients and seriously ill patients such as cancer patients and service members suffering from PTSD.
- Home delivery is a preferred method of purchasing medical marijuana, because many elderly patients or chronically sick patients cannot drive, and many do not know how to grow their own. Or their landlords will not permit it.
- As things stand today, the majority of delivery services operate illegally. This is heavily influenced by cities setting tight limits on business licenses for the Collectives and cultivation. When you prohibit, you take the problem underground where the city has no control over the source of marijuana being provided to sick patients in Pasadena. Law enforcement cannot effectively stop the illegal market unless the city provides competition to the black market by regulating certain dispensaries to provide safe medical cannabis to sick patients.
- Prohibitory restrictions on marijuana creates significant problems:
 - o Cities are losing tax revenues;
 - o There is no oversight or review of the services and therefor no accountability or regulation of them;
 - o Pesticides and contaminants are an issue. Illegal delivery services who are buying from illegal growers can be delivering tainted weed. See Colorado's recent issues with Pesticides: <http://www.foodsafetynews.com/2015/11/governor-decides-to-lend-a-hand-with-colorados-marijuana-pesticide-problem/#.Vk-CF8o0OXo> This has happened in both legal and illegal grows, but when it is legal the government can track it, address it, and fix it.
 - o The incident of crime with the illegal delivery services is much higher. Two common crimes include selling to customers without medical marijuana cards and robberies of the drivers.

Thus, the answer is not to prohibit cannabis – you lose control that way. The responsible thing to do is to create regulations. I can help your attorney draft comprehensive regulations for an ordinance – then you will have control over the source and quality of medical cannabis being purchased by medical marijuana patients.

Finally, if California voters vote for recreational marijuana in the November 2016 election, and it will be on the ballot; if Pasadena cannot even handle a few dispensaries or cannabis businesses, how in the world will

the city handle recreational use? You need to find out how to work with the emerging commercial cannabis business industry – otherwise a significant amount of time, energy and money will be spent fighting a war the federal government can't even win, a war on drugs. Californian's / Pasadena residents, use marijuana. The demand is there. And if the supply is not a legal, regulated, supply, it will be illegal and potentially dangerous.

I am also attaching to this email a Patent regarding the medical efficacy of marijuana. The Assignee of the Patent is the United States Department of Health and Human Services.

Let me know if I can help with a solution. In July 2014, I was thinking of an ordinance for Pasadena; a draft ordinance is attached. This document would need some revisions to consider the new Medical Marijuana Regulation and Safety Act signed by Governor Brown on October 9th. In the event, I am unable to make it to tonight's city council meeting, I want to give some input. I am gravely concerned at the City's support of the black market by failing to enact responsible regulation in Pasadena. This train has left the station we need to gain control of cannabis in a responsible manner. Prohibition does not work and is more dangerous than stepping up to the plate to provide leadership regarding business activity that will take place in the city.

Sincerely,
Michele Brooke

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