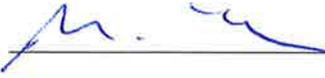


INTERDEPARTMENTAL MEMORANDUM

Villa Park Police Department

TO: Manager Keehner

FROM:  Michael Lay
Chief of Police

DATE: September 17, 2019

SUBJECT: Potential Impact of Cannabis Dispensaries

Beginning January 1, 2020, adults 21 years of age and over will be allowed to purchase and possess up to 30 grams (just over 1 oz.) of raw cannabis, 5 grams of cannabis concentrate, or cannabis-infused products containing up to 500 milligrams of THC from licensed dispensaries in Illinois. There are currently 55 medical cannabis dispensaries and 20 cannabis cultivation centers in Illinois for medical cannabis, which was legalized in 2013. None of these medical cannabis dispensaries is located in Villa Park.



It is unknown at this time what specific effects may be expected as a result of a cannabis dispensary opening within the village limits of Villa Park. As no dispensary site is yet open in Villa Park, we must rely on the data provided by outside jurisdictions, as well as data from states that have already authorized the use of recreational cannabis.

The attached memo documents the Village of Lombard's data mining of eleven communities in the Chicago area that currently have medical cannabis dispensaries. Out of those eleven, eight responded, each of which reported few, if any, police-related incidents. It is important to remember, however, that the impact of recreational cannabis dispensaries may not be similar to medical cannabis dispensaries.

I would expect that if a recreational cannabis dispensary were approved by the Village Board and opened in Villa Park, there would initially be a large amount of customer traffic due to its novelty. This would most likely be dependent on the business' location and its opening in comparison to dispensaries in the area. Some states have reported

traffic and parking issues at new dispensaries upon legalization, with some dispensaries providing shuttle service to off-site parking lots. Police Departments may also experience an increase in the volume of calls related to reported violations of the law, along with the potential for an increase in the number of drug impaired drivers. This may be the case with or without a dispensary being located directly in Villa Park.

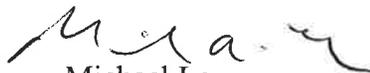
It is important to be aware that one part of the new Illinois law allows consumption of cannabis products on premises, should a municipality choose to allow it. Allowing for on-premises consumption has the potential to increase the chances of police-related calls occurring at the location or stemming from patrons leaving the establishment after consuming cannabis or cannabis related products.

The following activities are prohibited according to the new Illinois law:

- *Consumption of cannabis in any “public place”*
- *Consumption of cannabis on school grounds*
- *Consumption “in close physical proximity” to persons under 21*
- *Smoking cannabis in any location where smoking is prohibited by the Smoke Free Illinois Act*
- *Possession and consumption by a minor under the age of 21*
- *Possession of cannabis in a motor vehicle unless the cannabis is in a “sealed, odor-proof, child-resistant, tamper-evident cannabis container” and “reasonably inaccessible”*
- *Driving under the influence of cannabis (DUI)*

Further research is being conducted by the police department to determine what effects recreational cannabis dispensaries have had on the police departments in towns similar to Villa Park across the nation. That information will be provided as soon as it is available.

Respectfully,



Michael Lay
Chief of Police



VILLAGE OF WOODRIDGE

TO: Al Stonitsch, Village Administrator
FROM: Brian Cunningham, Chief of Police
SUBJECT: Recreational Cannabis and the Impact on Police Services
DATE: August 23, 2019

PURPOSE:

Please accept this memorandum as a summary of the potential police related impact created by the legalization of recreational cannabis.

BACKGROUND/DISCUSSION:

The state of Illinois has approved the possession and private use¹ of recreational cannabis, beginning January 1, 2020, for persons who are 21 years of age or older. In spite of the ability to ban recreational cannabis sales², communities will still have to face many consequences because of the new legislation. The overall impact is predictable by examining the concerns raised from law enforcement agencies that have already experienced recreational cannabis. The legalization of cannabis will change our policing strategies and increase the demand for police services. In Illinois and in particular the Village of Woodridge, we expect the following issues to create the biggest impact on operations:

DUI Enforcement

Training issues regarding cannabis DUI impairment will present significant issues for the Illinois law enforcement community. Field sobriety testing for persons under the influence of cannabis are different than alcohol related testing. Courts will require officers to be certified in Advanced Roadside Impaired Testing (ARIDE). Although not required by law, many courts will prefer certified Drug Recognition Experts (DRE) to be involved in the investigation. A DRE certification requires 96-hours of specialized training and annual recertification. Note: All Woodridge Officers have recently completed the ARIDE certification process with several officers earmarked for DRE certification in the spring.

In Illinois, it is illegal to drive or be in physical control of a vehicle while under the influence of cannabis or with a THC concentration of five nanograms or more within 2 hours of driving. Currently, the only way to determine a person's nanogram level is through blood testing, which involves a time consuming process and a trip to the hospital/phlebotomist. In an effort to address this issue, several states and some local agencies have been researching the viability of

¹ The Act still prohibits the use of cannabis in public places, schools, and childcare facilities among other locations.

²The Smoke Free Illinois Act still applies regardless of legalization. Property owners may still prohibit the use of cannabis by any guest, lessee, customer or visitor. In addition, lessors may prohibit cultivation of cannabis by their lessees.

saliva based testing for cannabis impairment. Reliable technology to check saliva for cannabis related impairment is months and potentially years away.

Home Grown Cannabis

Homegrown cannabis will be authorized only for medical cannabis program participants. It will allow homeowners the ability to grow up to five plants so long as they own the home, have consent from the property owner, and keep the plants in a separately locked room or out of the view of children and teens. Currently, there are 80,000 participants in the medical cannabis program however; a recent expansion of qualifying conditions will significantly increase the program. The new qualifying conditions include autism, chronic pain, irritable bowel syndrome, migraines, osteoarthritis, anorexia nervosa, and polycystic kidney disease, among other conditions.

Other states have found homegrown cannabis to be extremely problematic due to the inability to ensure compliance of the number of plants and restrictions. In California, Colorado, and Washington transnational criminal organizations have exploited Homegrown Cannabis into a thriving underground business.

Underground Cannabis Market

Theoretically, legalizing marijuana could put an end to the underground market. In order for this to happen, however, a few things must come into play: prices must be competitive and the product must be high quality. Other states have found significant increases in the underground cannabis market following legalization. The main reasons being an oversupply and cheaper costs.

Increase in Police Services

Every state that has adopted recreational marijuana has seen an increased demand on police services. Legalization does not necessarily mean less oversight. Legalization will bring increased overtime costs in order to properly monitor, vet, test, document, and prosecute possible offenders who may cross the line from recreational user to criminal. Examples of potential criminal behavior we may see in Woodridge would most likely include:

- Increased complaints of cannabis use in public places and multifamily homes
- DUI's related to cannabis
- Violations of homegrown cannabis restrictions
- Increased incidents of smoking cannabis while driving
- Underage subjects attempting to purchase or using cannabis
- Possession of cannabis violations for Illinois and non-Illinois residents
- Illegal sales of cannabis
- Illegal cannabis grow operations
- Increased robbery and thefts related to legal and illegal cannabis operations

Additional unforeseen costs would include protective gear for officers and increased response to medical issues related to cannabis use.

Expungement Process

The new law includes sweeping social justice provisions focused on expunging the criminal records of those arrested and/or convicted of non-violent cannabis related offenses. Starting in

January of 2020, all Illinois law enforcement agencies shall automatically expunge criminal history records of an arrest, charge, order of supervision, or order of qualified probation for minor cannabis offenses (less than 30 grams). Arrests related to cannabis offenses between 30-500 grams would be subject to a clemency process. The police department will be actively involved in the identification of eligible expungement records according to the following specified timetable:

- Arrest records between January 1, 2013 and effective date must be expunged by January 1, 2021
- Arrest records between January 1, 2000, and January 1, 2013 must be expunged by January 1, 2023
- Arrest records prior to January 1, 2000, must be expunged prior to January 1, 2025

In Illinois, around 770,000 cannabis related records will be eligible for expungement. The current estimate for Woodridge expungements would be between 50-100 cases a year.

A Mixed Message

Contrary to the current trend to legalize cannabis, Federal law prohibits the use and possession of cannabis for any purpose. It is currently classified as a Schedule I substance, determined to have a high potential for abuse and no accepted medical use.

As more and more states legalize cannabis, the perception from our younger generation will significantly change, "If it's medicine, it must be okay", or "If it's legal, it must be safe." Although legalization only allows for adult use, the availability of cannabis to those persons under 21 will no doubt increase. We plan to address these issues through the GRIT program.

RECOMMENDATION:

In an effort to deal with the challenges of recreational cannabis, we are exploring best practices related to training, enforcement, crime prevention and substance abuse. By doing so, we will continue to make public safety our number one priority.



LOMBARD POLICE DEPARTMENT

TO: Scott Niehaus
Village Manager

FROM: Roy Newton
Chief of Police

SUBJECT: Potential Impact of Cannabis Dispensaries
On Police Operations

DATE: June 26, 2019

At your request, we have compiled a brief report outlining the potential impact of legalized cannabis and cannabis dispensaries on our police operations. The intent of this information is to provide objective information that will assist Village of Lombard staff and elected officials in making decisions leading up to and after the legalization of recreational cannabis.

There are a number of communities, at or around the same size as Lombard, that currently house *medical* cannabis dispensaries (MCD). They are:

Naperville
Arlington Heights
Mount Prospect
Elmwood Park
Rolling Meadows
Deerfield
Evanston
Oak Park
North Aurora
Romeoville
Addison

We contacted the aforementioned communities in an effort to seek information on the impact to police service that an MCD would cause. Through our daily bulletin reports, statewide critical reach reports, and general media, I have found there are limited calls for police service at MCD locations. The following communities responded to our request for information concerning police activity at their medical dispensaries:

Addison: The Addison Police Department indicated that they have had no calls for service at the MCD. They also stated that they have no received crime or community complaints related to the facility.

North Aurora: They indicated that they have had five calls for service at their MCD since December of 2015. These calls were for three false burglar alarms, one counterfeit currency complaint, and one inquiry about a state ID card.

Elmwood Park: They indicated they have had no calls for service or any community complaints at the MCD located in their jurisdiction in the years they have been open.

Arlington Heights: Although a few calls for service are indicated since opening in June of 2018, the calls are the norm for generally any business within their community. The MCD has had little impact on their operations. Specifically, 10 false burglar alarms, a burglary to a storage container, one suspicious circumstances report, one customer dispute, one suspicious vehicle report, and one disorderly conduct incident.

Mount Prospect: They indicated that they have had no issues involving the MCD located in their jurisdiction.

Deerfield: They indicated that there has been five alarm calls since opening in mid-2014.

Naperville: They have experienced minimal calls for service and most calls are for false burglar alarms.

Romeoville: There have been no incidents with this business in the two years they have been open.

At this moment with legalization dispensaries being new, I cannot assume that the impact of MCD's will be similar to the impact of recreational cannabis dispensaries (RCD). Although there are many illicit users of cannabis currently, RCD's will be a vehicle for current users who will now be able to purchase legally. I do not see a sudden increase in the amount of users just because it is now legal. I would also note that with the extreme tax rate that has been imposed on any purchase, the "black market" will continue to flourish.

Certainly a concern of the police department will be on the impact of impaired driving and traffic crashes. Since 2013, the Lombard Police Department has made 56 impaired driving arrests in which drivers tested positive for THC (the component of cannabis that causes a "high"). Approximately 27% of those arrests involved a traffic crash. After medical cannabis became legal, there was a mild increase in the number of DUI cannabis arrests but that number has seemed too stabilized.

It is reasonable to assume that the legalization of cannabis can increase the demand for police services as well as the number of drug impaired drivers on our roadways. However, this will likely occur whether or not the Village of Lombard allows an RCD or not.

Respectfully,

Chief Newton