

ANALYZING THE ISSUES AND OPTIONS

MARIJUANA LEGALIZATION

Issues	Options				
	Illegal Possession and Current Possession Penalties (Status Quo)	Illegal Possession and Stiffer Possession Penalties	Illegal Possession and Lighter Possession Penalties	Legal Possession and Illegal Supply	Legal Possession and Controlled Legal Supply
	Option 1	Option 2	Option 3	Option 4	Option 5
1. User Interests					
<i>1.1. Health Effects</i>					
<i>1.1.1. Amount Consumed</i>	Option 1 is the status quo.	Option 2 would likely reduce the amount consumed relative to the status quo, although the reduction may be small. (1) Marijuana is widely available at all levels of society, so current penalties appear ineffective. (2) Those who commit illegal acts generally do not expect to get caught. In the case of marijuana, the odds of getting charged with marijuana possession are relatively low at about	Option 3 would likely increase the amount consumed relative to the status quo, although the increase may be small. The heaviest users (addicts and long-time regular users) would continue with "business as usual". Young people tend to not pay attention to the consequences of their actions. Those that do pay attention would tend to assume they would not get caught. Both groups would be unlikely to	Option 4 would likely increase the amount consumed relative to Option 4, although the increase may be small. The observations made with regard to Options 2, 3 and 4 suggest that marijuana usage is not particularly responsive to penalties. The health costs of any increase in marijuana use could be offset to some	It is unclear whether Option 5 would lead to an increase or decrease. Factors contributing to an increase include ease of access (neighbourhood government or licensed retail outlet), and a better quality product in terms of certain dosages and purer products. Factors contributing to a decrease include potentially higher prices as governments attempt to discourage use

		<p>2.4 percent of users. In 2011, there were 61,764 reported crimes for possession of marijuana in Canada, while users during the past year represented 9.1% of the population 15 years and over, or about 2,536,110 people.(3) The odds of being convicted and actually facing penalties are low at 0.3 percent. In 2011, there were 7,582 guilty verdicts for marijuana possession. (4) Those addicted to marijuana are unlikely to be responsive to penalties. (5) Young people typically do not focus on the consequences of their actions, and as such, may not be responsive to penalties. (6) While the Netherlands does not enforce its marijuana possession laws, the usage in the Netherlands is typical</p>	<p>make significant changes to their behaviour in response to lighter penalties.</p> <p>The health costs of any increase in marijuana use could be offset to some extent by users switching from other drugs, most of which are less health than marijuana.</p>	<p>extent by users switching from other drugs, most of which are less health than marijuana.</p>	<p>and raise revenue, the potential to identify heavier buyers by tracking purchasers at sales outlets, the potential to use heavy buyer information to identify those with addictions and provide treatment opportunities for those who want it, the potential to identify suppliers to third parties (i.e. minors) and use that information to control consumption by minors, health warnings at points of sale and on packages (like tobacco), and dosage control so that users would know what they are consuming and be less likely to overdose.</p> <p>To some extent, Option 5 would encourage some users to consumer marijuana rather than other psychotropic</p>
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		of other European countries. This suggests the European penalties do not have a significant impact on usage.			drugs, which are generally more harmful than marijuana.
1.1.2. Product Quality	Option 1 is the status quo. Currently, marijuana is supplied as parts of the cannabis plant (flowers, buds, leaves, stalks, etc.), its preparations, including its resin (hashish) and its oil (hash oil), derivatives and similar synthetic preparations. A recent study found that plant based marijuana contained significant amounts of pesticides. See Determination of pesticide residues in cannabis smoke . The psychoactive component in plant based marijuana is gradually increasing over time, as the plant growers seek higher concentrations. With synthetic preparations, there is considerable risk of impurities.	Option 2 would be the same as Option 1, as marijuana would continue to be supplied through the same supply chain as Option 1.	Option 3 would be the same as Option 1, as marijuana would continue to be supplied through the same supply chain as Option 1.	Option 4 would be the same as Option 1, as marijuana would continue to be supplied through the same supply chain as Option 1.	Option 5 would involve a different supply chain that is either operated by the government, or operated by the private sector under government regulation, or some hybrid system involving government operations and regulation of the private sector. The supply chain would seek to provide pure products (not mixed with unknown or unlabelled substances), free of carcinogens, in measured dosages. If there are healthier ways to provide the product (e.g. through vaporizers), these healthier ways would be promoted.

1.2. <i>Psychotropic Experiences</i>	Option 1 is the status quo.	Option 2 would likely see amount consumed down slightly and product quality the same compared to Option 1.	Option 3 would likely see amount consumed up slightly and product quality the same compared to Option 1.	Option 4 would likely see amount consumed up slightly and product quality the same compared to Option 3.	Option 5 would have uncertain effects on amount consumed and product quality would be considerably better than the other four options.
1.3. Legal Ramifications	Option 1 is the status quo. In 2012, the police reported 57,429 crimes for the possession of marijuana, representing about 75.6% of police reports of drug possession crimes. In 2011-2012, there were 16,787 possession charges covering all illegal drugs, of which 7,582 led to guilty verdicts. Presumably, charges and convictions related to marijuana were a significant portion of total illegal drug possession charges.	Option 2 would be similar to Option 1.	Option 3 would be similar to Option 1.	Option 4 would treat the possession of marijuana substantially as ticketable offense, so that possession would not lead to criminal records. In addition, presumably it remove those previously convicted from criminal record databases.	Option 5 would make possession of marijuana legal. In addition, presumably it remove those previously convicted from criminal record databases.
2. Individual Freedom	Option 1 is the status quo, and restricts an individual from doing what he or she wants so long as the actions do not harm others.	Option 2 would be exactly the same as Option 1 in terms of restricting individual freedom.	Option 3 would be exactly the same as Option 1 in terms of restricting individual freedom.	Option 4 would not restrict individual freedom.	Option 5 would not restrict individual freedom.
3. Public Revenues					

and Expenditures					
3.1. <i>Public Revenues</i>	Option 1 (the status quo) generates no public revenues. The revenues generated in the supply chain are illegal, are not reported and escape sales taxes, licence fees, income and other taxes.	Option 2 would generate no public revenues. The revenues generated in the supply chain are illegal, are not reported and escape sales taxes, licence fees, income and other taxes.	Option 3 would generate no public revenues. The revenues generated in the supply chain are illegal, are not reported and escape sales taxes, licence fees, income and other taxes.	Option 4 would generate no public revenues. The revenues generated in the supply chain are illegal, are not reported and escape sales taxes, licence fees, income and other taxes	Option 5 would generate public revenues. The amount would depend on the pricing policies adopted. It is worth noting that California considered laws that would allow the controlled supply of marijuana. These laws were expected to charge \$50 per ounce and generate \$1.3 billion in a state with a population only slight larger than Canada's (38,041.430 in California in 2012 versus 33,476,688 in Canada in 2011).
3.2. <i>Enforcement Costs</i>	Option 1 is the status quo. In 2006, the Canadian Centre for Substance Abuse estimated the cost of enforcement for all illegal drugs and all drug crimes in 2002 at \$2,335.5 million, of which \$1,432.0 million was for policing, \$330.6 million for courts,	Option 2 would likely lead to higher enforcement costs related to the possession of small amounts of marijuana than Option 1, because of the increased use of prison time as a penalty and the	Option 3 would likely lead to lower enforcement costs related to the possession of small amounts of marijuana than Option 1, because fines could be imposed outside the court system (like parking tickets) and	Option 4 would entail no enforcement costs related to the possession of small amounts of marijuana, as it would no longer be illegal to possess small amounts of marijuana.	Option 5 would entail no enforcement costs related to the possession of small amounts of marijuana, as it would no longer be illegal to possess small amounts of marijuana.

	<p>and \$573.0 million for corrections. Enforcement costs for marijuana possession would be less than this, probably considerably less. In 2002, marijuana possession crimes totalled 49,647 of total drug crimes of 92,781, representing 53.5% of drug crimes.</p> <p>In 2011, there were 61,764 police reported crimes by adults for possession of marijuana in Canada. This represents 77.8% of all drug possession offenses, and 54.5% of all drug offenses. In 2011-2012, there were 16,787 cases for drug possession (all illegal drugs, not just marijuana) completed in adult court, of which 7,582 led to a guilty verdict, 9,100 were stayed or withdrawn, 41 were acquittals, and 64 were of other types. Of the 7,582 guilty cases, 828 led to custody with a median length of 9 days, 2,588 led to probation of</p>	<p>related high costs of incarceration.</p>	<p>because of the disappearance of prison time as penalty.</p>		
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	median length 365 days, and 3,726 led to fines with a median amount of \$300.				
3.3. <i>Health Care Costs</i>	<p>Option 1 is the status quo. Health care costs for 2002 concluded that health care costs related to all illegal drugs were \$1,134,562,190. The marijuana/cannabis component of these costs was not estimated, but clues come from the following statistics: acute care hospitalization costs for cannabis (\$71,569,374) relative to all illegal drugs = 16.8 %; psychiatric hospitalization costs for cannabis (\$1,451,145) relative to all illegal drugs = 12.6%; hospital diagnoses for cannabinoids (9,127) relative to all illegal drugs = 23.7%; cannabis poisoning diagnosis (270) relative to opiates and cocaine = 2.6 %; hospital days due to mental and behavioural disorders for cannabinoids (56,189) relative to all illegal drugs = 25.7%; and hospital days due to cannabis</p>	<p>Option 2 would possibly have slightly lower health care costs than Option 1, because it may discourage usage. As discussed above, the usage reduction and related cost savings are likely to be small.</p>	<p>Option 3 would possibly have slightly higher health care costs than Option 1, because it may encourage usage. As discussed above, the usage increase and related cost increases are likely to be small.</p>	<p>Option 4 would possibly have slightly higher health care costs than Option 3, because it may encourage usage. As discussed above, the usage increase and related cost increases are likely to be small</p>	<p>Option 5 would have uncertain effects on health care costs. As discussed above, there are factors that would contribute to increased and decreased usage, and it is unclear how these factors will ultimately determine usage. Improved quality should significantly improve user health and reduce health care costs. Controlled Supply would offer more potential to limit access to marijuana, if buyers are expected to buy on their own behalf and records were kept of buyers. Minors would not be allowed to purchase marijuana themselves, and those buying excessive amounts for sale to minors would be traceable.</p>

	poisoning (798) relative to opiates and cocaine = 1.2%. These figures suggest that the 2002 direct health care costs related to cannabis were no more than 25% of costs for all illegal drugs, or a maximum of \$283 million. This figure would need to be adjusted downward for declining marijuana use (decrease 14.1 % past year use in 2004 to 9.1% past year use in 2011) and upward for inflation (up 19.9% from 2002 to 2011). After adjustments, direct health care costs could be in the neighbourhood of \$219 million.				As many health effects are related to use at a young age, limited youth access could reduce health costs.
4. Organized Crime	Option 1 (the status quo) supports organized crime, by providing an opportunity for organized criminals to supply marijuana.	Option 2 would support organized crime, by providing an opportunity for organized criminals to meet the demand for marijuana..	Option 3 would support organized crime, by providing an opportunity for organized criminals to meet the demand for marijuana.	Option 4 would support organized crime, by providing an opportunity for organized criminals to meet the demand for marijuana.	Option 5 would replace organized criminals as the supplier of marijuana with either a government supply, or a regulated private supply system, or some combination of the two.
5. Economic Development in Canada	Option 1 (the status quo) incorporates a criminally operated supply system	Option 2 would incorporate a criminally operated	Option 3 would incorporate a criminally operated	Option 4 would incorporate a criminally operated	Option 5 would offer a Canadian based supply system, with

	that includes imports and economic development in countries supplying the imports.	supply system that includes imports and economic development in countries supplying the imports, along the lines of Option 1.	supply system that includes imports and economic development in countries supplying the imports, along the lines of Option 1.	supply system that includes imports and economic development in countries supplying the imports, along the lines of Option 1.	the jobs, corporate income, corporate taxes, etc. occurring completely in Canada. In addition, one could anticipate a modest increase in tourism in the short run to taken advantage of Canada's marijuana laws.
6. Respect for Laws	Option 1 (the status quo) generates disrespect for laws in general, since a significant number of Canadians have disobeyed it in their lifetime, and an additional group fail to the harm in possessing small amounts of marijuana - a victim less crime.	Option 2 would generate disrespect for laws in general, since a significant number of Canadians have disobeyed it in their lifetime, and an additional group fail to the harm in possessing small amounts of marijuana - a victim less crime.	Option 3 would generate disrespect for laws, since a significant number of Canadians have disobeyed it in their lifetime, and an additional group fail to the harm in possessing small amounts of marijuana - a victim less crime.	Option 4 would generate disrespect for laws, since a significant number of Canadians have disobeyed it in their lifetime, and an additional group fail to the harm in possessing small amounts of marijuana - a victim less crime	Option 5 would not generate a disrespect for laws, because users and possessors of small amounts would not be breaking laws.
7. International Relations					
<i>7.1. Relations with the United States</i>	Option 1 is the status quo.	Option 2 would be functionally the same as the status quo.	Option 3 would be functionally the same as the status quo.	Option 4 would be functionally the same as the status quo.	Option 5 would run the risk of annoying a few American members of Congress who are passionately against the legalization of

					marijuana. There is a minor risk of American legislation (trade?) where these members of Congress might not support American legislation that might be in Canada's interest. Legalization of marijuana is unlikely to have the converse effect of creating support for Canada's interests.
7.2. <i>International Agreements</i>	Option 1 (the status quo) supports the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances .	Option 2 would support the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances .aaa	Option 3 would support the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances .aaa	Option 4 would arguably support the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances .aaa	Option 5 would not support the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances . However, international support for the Convention is eroding in South and Central America, New Zealand and elsewhere, so the consequences would not be significant.
7.3. <i>Stable Neighbours</i>	Option 1 (the status quo) has been shown to contribute to undermining the stability in Mexico,	Option 2 would contribute to instability in Mexico, Central and South	Option 3 would contribute to instability in Mexico, Central and South	Option 4 would contribute to instability in Mexico, Central and South	Option 5 would not contribute to instability in Mexico, Central and South

	Central and South America, by encouraging an illegal drug trade in these countries.	America, by encouraging an illegal drug trade in these countries.	America, by encouraging an illegal drug trade in these countries.	America, by encouraging an illegal drug trade in these countries.	American, by encouraging an illegal drug trade in these countries.
8. Non-User Concerns	Option 1 (the status quo) respects non-user concerns about the effects on young people when adults use marijuana in public places. It also creates angst among non-users to the extent that they are offended when they fellow citizens breaking the law. In terms of non-user concerns about drug users driving while impaired, Statistics Canada reports that in 2012, there were 4 incidents of impaired driving from drugs causing death, another 16 causing bodily harm, and 1,924 incidents related to operation of vehicle, vessel or aircraft.	Option 2 would respect non-user concerns about the effects on young people when adults use marijuana in public places. It would also create angst among non-users to the extent that they are offended when they see fellow citizens breaking the law.	Option 3 would respect non-user concerns about the effects on young people when adults use marijuana in public places. It would also create angst among non-users to the extent that they are offended when they see fellow citizens breaking the law.	Option 4 would respect non-user concerns about the effects on young people when adults use marijuana in public places. It would also create angst among non-users to the extent that they are offended when they see fellow citizens breaking the law.	Option 5 could lead to users consuming marijuana in public places, although this problem could be mitigated through bans on use in public places. Non-user angst at fellow citizens breaking the law would disappear, since using and possessing small amounts would no longer be illegal.