

# MEDICAL MARIJUANA (MM), BOCA RATON, AND SMART POLICY

Eric Sevell – 9/26/2017

# SUMMARY

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- 1. The City's (Past) Meetings
- 2. Negative Secondary Effects
- 3. Other Concerns: Health, Money, Children, and Culture

# 1. The City's Past Meetings

## □ Highlights From Planning and Zoning

### □ Reasons For The Ban:

- “The city needs time to do research.” (Where is it?)
- People can still get their medicine from the county. (But why?)
- Anecdotal “evidence.” (...Anecdotal evidence.)
- Want to see what other localities do first. (Infinite loop?)

### □ Reasons Against The Ban:

- 2014 - “I don’t think it’s our purview to become a mini FDA, so I have legal concerns and I don’t intend to support it.” – Mr. Utrecht, Oct 9<sup>th</sup>
- 2015 – “I don’t understand why nothing was done.” – Mr. Sevell, Sept. 15<sup>th</sup>
- 2016 – Board members concerned over lack of research, as well as lack of transparency.
- 2017 – Board votes ban down 4-2, citing same concerns from 2016.
- **City staff refused to say on public record who initiated this bill and why it was written in the negative in the first place.**

# 1. The City's Past Meetings

## □ Highlights From The City Council

### □ Reasons For The Ban:

- “The city needs time to do research.” (Where is it?)
- “Post-Euclidean Zoning; Health, Safety, and Welfare” (Empty Rhetoric.)
- Negative Secondary Effects (No Evidence/Research.)
- People can still get their medicine from the county. (But why? Infinite Loop?)

### □ Reasons Against The Ban:

- Resident Comments: Dispensaries elsewhere run professionally; Access important for people who need it; (2015) resident has father w/ Parkinson's who could not get access to medicine that could really help him.

### □ Notable Comments:

- 2015 – Mr. Singer asks what has been done legislatively and elsewhere in FL.
- 2016 – Recognition that there was still no research done on the issue.
  - “This is a land use decision.”

## 2. Negative Secondary Effects

- 1. Kepple and Freisthler 2012 – “Exploring the Ecological Association Between Crime and MM Dispensaries”
  - ▣ Results: MM dispensaries have no association with crime. Result might be supported by on-site security measures (e.g., cameras, doormen, etc.).
  
- 2. Freisthler et al. 2013 – “Evaluating Medical Marijuana Dispensary Policies: Spatial Methods for the Study of Environmentally-Based Interventions”
  - **Key: Evaluates similar businesses and makes policy recommendations in addition to giving examples of how other municipalities have handled the issue in CA.**
  - ▣ Results: Having cameras and other on-site security such as a doorman might be effective at reducing any crime that might occur near the dispensary.

## 2. Negative Secondary Effects

- 3. Boggess et al. 2014 – “Do MM Centers Behave Like Locally Undesirable Land Uses (LULUs)? Implications For the Geography of Health and Environmental Justice”
  - Done in Denver
  - Results: Despite the expectation that these centers will produce greater racial/ethnic concentration (segregation) and poverty, there is no evidence of this association.
  
- **Summary Conclusion:** Common sense measures that could be enforced by the city through (reasonable) licensing, fees, etc. could mitigate any potential problems before they ever happen.
  - - Ex: Require 24/7 cameras, a doorman/woman, ID checks, use license money for extra police duty, etc.
  - (Some of this is already mandated by the state in one way or another).
  - **Boca could become an exemplar for other cities across the state.**

# 3. Other Concerns

- **A. Health/Aging Population** – Boca’s most vulnerable need **ACCESS**.
  - ▣ “Health, Safety, and Welfare” – For whom?
  - ▣ “You can get it delivered.” ≠ Acceptable
    - City has not established what government interest is furthered by the ban, and residents will be hurt.
- **B. Money** – ...Money.
- **C. Children/Family/Schools** – It’s already here.
- **D. Culture** – What kind of city do we want to be?
  - Succumb to fear, or make tough choices in support of our most vulnerable?