



COUNTY OF YOLO
OFFICE OF THE DISTRICT ATTORNEY
JEFF W. REISIG, DISTRICT ATTORNEY

MEMORANDUM

To: Supervisor Jim Provenza
From: Jeff Reisig, District Attorney
Date: August 29, 2017
RE: DISTRICT ATTORNEY PROPOSAL MARIJUANA PROSECUTION UNIT

HISTORY:

In 1996 the California voters passed Proposition 215, the Compassionate Care Act. The proposition legalized marijuana for medicinal use and was enacted on November 5, 1996, California Health and Safety Code section 11362.5. It allowed patients with a valid doctor's recommendation, and the patient's designated Primary Caregivers, to possess and cultivate marijuana for personal medical use. It was expanded, in 2004 in the Medical Marijuana Program Act (MMPA) by the California State Legislature, to protect collective and cooperative distribution.

On November 8, 2016, California voters passed Proposition 64, Marijuana Legalization. This Proposition legalized recreational marijuana for persons aged 21 years or older and established certain sales and cultivation taxes. The Proposition made it legal for individuals to use and grow marijuana for personal use on November 9, 2016. It allows for the sale and taxation of recreational marijuana on January 1, 2018.

DISCUSSION:

The voters of the state have determined that marijuana be legalized for medicinal and recreational purposes. Proposition 64 also allows for the creation of new taxes, one levied at cultivation and the other on retail price. The revenue from those taxes were to be allocated for the following, drug research, treatment, and enforcement, youth programs, and safety grants addressing marijuana, and preventing environmental damage resulting from illegal marijuana production.

The District Attorney believes that Proposition 64 will result in violations of the law resulting in the prosecution of many types of cases, both civilly and criminally, including but not limited to cases involving illegal marijuana grows, workers compensation insurance violations by growers, environmental damage to the community and surrounding areas from the grows, and an increase in driving under the influence of drugs (DUID).

The District Attorney believes that by creating a Cannabis Enforcement Unit, the office and the county will be better equipped to face the challenges ahead and address the issues already confronting the County. The following is an example of the unit the District Attorney would put together to comprehensively address these issues:

The District Attorney would have a Supervising Deputy District Attorney V (DDA V) prosecute the most complex cases and supervise the unit.

A legal secretary would be hired as the unit secretary assisting in the day-to-day operations and administration of the unit. The secretary would also work with the DDA V, handling the liaison efforts with the court filings, etc.

Two paralegals would be hired to assist in legal research and writing, trial assistance, statistical gate keeping and report preparing, as well as conducting outreach to the public and schools. The paralegals would be a more cost effective way to assist the DDA V versus hiring another Deputy District Attorney.

A District Attorney Investigator II (DAI II) would be hired for follow-up investigations and search warrants on submitted cases including DUID investigations involving marijuana and available to assist the County Cannabis Task Force in enforcement efforts.

Two District Attorney Enforcement Officers would be hired to assist the DAI II. They would serve subpoenas, make travel arrangements for witnesses and assist the County Cannabis Task Force members in enforcement efforts.

The annual costs of the personnel in this Unit are:

1	Deputy District Attorney V	\$246,851	\$246,851
1	Legal Secretary	\$89,809	\$89,809
2	Paralegals	\$97,567	\$195,134
1	District Attorney Investigator II	\$207,497	\$207,497
2	DA Enforcement Officers	\$117,193	\$234,386
	TOTAL		\$973,677

There is no available space within the current District Attorney's Office for a Unit of 1-7 people therefore a space would have to be rented, absent available county space. The anticipated estimated annual costs for space and one time equipment costs are as follows:

6 Cellular telephones & hard lines	\$5,800	\$630
7 Surface Pros & warranties	\$13,293	
14 Monitors	\$2,800	
Desks/cube space & chairs	\$20,000	
3 Vehicles	\$105,000	
Annual rent for approx. 1700 sq ft. in Woodland		\$29,000
Total	\$146,893 (1x)	\$ 29,630 (annual)
Total Unit Costs	\$146,893	\$1,003,307 (annual)

Richard Reed

From: Richard Reed
Sent: Wednesday, September 06, 2017 11:14 AM
To: Jim Provenza
Subject: Cannabis Impact to DJUSD for Yolo County

From: Laura Juanitas [mailto:ljuanitas@djUSD.net]
Sent: Wednesday, September 06, 2017 11:01 AM
To: Richard Reed
Cc: Penny Pyle; John Bowes
Subject: RE: Action: Cannabis Impact to DJUSD for Yolo County

Dear Richard –

Thank you for contacting the District about the impacts of Cannabis to student health, academics and safety.

Although the passage of Proposition 64 does not allow cannabis usage for teens, we have found over the past five years at DJUSD that more students are using cannabis on a regular basis and this adversely impacts their health, academic achievement, and social relationships. We would like to propose that a portion of any tax revenue from cannabis-related business be given to DJUSD and earmarked for drug/alcohol counseling, prevention and intervention at our junior and senior high schools. Examples of this include counselor and/or school nurse time to meet individually with students, lead harm reduction groups, and provided information and resources to families.

Regardless of how someone feels about cannabis use, we know that a certain percentage of the population has difficulty managing their drug and alcohol use. With the passage of Proposition 64, we expect our student consumption of cannabis to continue to rise as students find it easier to access cannabis products than alcohol. A certain percentage of these students will require counseling and treatment to deal with their addiction. Providing some of the revenue to schools for counseling and nursing services will allow the cannabis industry to provide a benefit to the community and to show that they are responsible neighbors.

In order to provide services to each of our secondary schools, we are seeking one day per week of increased counselor and nursing time for Holmes JHS, Harper JHS, Emerson/Da Vinci JHS, King Continuation HS/DSIS, and Da Vinci HS and two days per week to Davis High School per school year. This would entail an allocation of \$225,000. We are seeking the same amount from the City, with the idea that the combined funds would be used for both nurses, counselors and other related positions and programs.

Please feel free to contact us to further discuss and we look forward to working with Yolo County to ensure that schools are safe and healthy places for our students.

Take care,

Laura

Laura Juanitas
Director of Student Support Services
Davis Joint Unified School District
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