1. Working group name:

*Law Enforcement Working Group*

1. Individual sponsor(s):

*Chuck Calloway, Las Vegas Metro Police Department*

*Pamela Del Porto, Inspector General, Nevada Department of Corrections*

*Adam Page, Captain, Nevada Highway Patrol*

*Keith Carter, Director, High Intensity Drug Trafficking Area*

1. Describe the recommendation:

*The working group recommends development of a strategic plan for implementation of an on- going multi-jurisdictional data collection, management, extraction, comparison and reporting process in order to evaluate the impacts of recreational marijuana on public safety and health and welfare safety. This recommendation also includes, through the strategic plan, the development and processes for baseline statistical data and gap analysis for comparison with subsequent years. Accurate data collection requires a systematic across the board identification of the specific data to be retrievable, storable, and collectible for comparison and evaluation in an organized manner. This should also include a priority assessed for each type of data, based upon the priority set by the Governor's Task Force on the Implementation of Ballot Question 2.*

*The following recommendations are begin submitted to support the development of not only the strategic plan, but the multi-jurisdictional needs and/or requests as well:*

1. *Identify an independent contractor to facilitate development of the initial strategic plan, its goals, objectives, analysis, to include standard processes when possible;*
2. *Identify all private, state, local, educational, health and welfare and marijuana impacted agencies or companies to establish the stakeholders with organized meetings by the strategic plan developer and coordinator (contractor);*
3. *Identify the data that should be collected, managed, extracted, compared and reported annually, once the base line is established;*
4. *If Stakeholder cannot or currently do not collect, what hurdles need to be overcome to reach a level of storage and collection;*
5. *What regulatory agency should collect and report annually, and to whom; and.*
6. *Identify what regulations, mandating collection, storage, retrieval and reporting needs to be put in place in order for each stakeholder to cooperate in data collection efforts.*
7. *Identify what, if any, new Administrative, Civil or Statutory requirements need to be revised and/or implemented in order to assist any agency or organization with collection and management of data; and*
8. *Identify revenue, expenses, and application of funds related to the 15% excise tax fee in the annual report.*

*\* As an example, I will refer each reviewer to a Data Discovery and Gap Analysis report completed on behalf of the State of Colorado.*

[*https://www.awcnet.org/portals/0/documents/legislative/Marijuana*](https://www.awcnet.org/portals/0/documents/legislative/Marijuana)*...*

*DATA COLLECTION – DATA SET LIST RECOMMENDATION*

*Marijuana related incidents, not subject to arrest, by location, age*

*Marijuana related arrests, and convictions by location, age*

*Marijuana related traffic accidents, non-fatal, by location, age, position in vehicle*

*Marijuana related traffic accidents, fatal, by location, age, position in vehicle*

*Marijuana related business related crimes or citations\**

*Comprehensive School Data\*, by location, age, type of incident, and who involved\**

*Comprehensive Mental/Medical Health information, by location, type of incident, who involved\**

*Impacts of recreational marijuana use on health\**

*Application and Excise fee revenue, expenditures, distribution*

*Impacts of recreational marijuana diversion to other states*

*Impacts of recreational marijuana trafficking due to legalization in surrounding states.*

 *\*Some of the Data Set were included based upon the Colorado Gap report.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 1 - Promote the health, safety, and well-being of Nevada's communities.*

*Guiding Principle 2 - Be responsive to the needs and issues of consumers, non-consumers, local governments, and the industry.*

*Guiding Principle 3 - Ensure that youth are protected from the risks associated with marijuana, including preventing the diversion of marijuana to anyone under the age of 21.*

*Guiding Principle 4.- Propose efficient and effective regulation that is clear and reasonable and not unduly burdensome.*

*Guiding Principle 5 -. Begin a discussion between the State and local governments regarding the costs of carrying out Question 2.*

*Guiding Principle 6 - Establish regulations that are clear and practical, so that interactions between law enforcement (at the local, state and federal levels), consumers and licensees are predictable and understandable.*

1. What provision(s) of Question 2 does this recommendation apply to?
2. *Data collection would apply to the number of licensed marijuana establishments and their location in the county to show compliance and the percentage of non-compliance based upon population of the county;*
3. *Data collection would apply to the imposition of civil or criminal penalties for driving under the influence of marijuana; knowingly selling or giving marijuana to a person under 21 years of age; possessing or using marijuana or marijuana paraphernalia in state correctional centers; and the other outline provisions, including possession or using marijuana on school grounds of Question 2;*
4. *Data collection would apply to the application and excise tax in order to determine the amount of money generated and in turn expended and to which area the funding supported;*
5. *Data collection would also apply to the criminal penalties for certain violation related to possession, use, sale, and cultivation of marijuana and marijuana plants.*
6. What issue(s) does the recommendation resolve?

*In order to evaluate what if any impact recreational marijuana use has, data collection will have to be mandated from each of the stakeholders, once they are identified. Data collection would have to be done for all facets of the industry as well as local and state law enforcement, Juvenile Justice and education, and traffic and public safety. Data collection is used as a tool and means by which measurements and comparisons can be made to ascertain if policy(s), practice(s), and regulatory changes need to be made based upon trends*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

None

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*As part of the strategic plan and implementation, each stakeholder will have to evaluate their current availability of records, information and data compared to the developed list of data needs and then identify what changes or additions to NAC and/or NRS will have to be done. Theses may include:*

*NAC and/or NRS 242;*

*NAC and NRS 179A to ascertain if any Nevada Offense Codes will be have to be added, revised and how capture*

*NAC and NRS 458,*

*NAC and NRS 453*

1. Additional information (cost of implementation, priority according to the recommendation, etc.).

*Fiscal impact notes will also have to be developed, evaluated and addressed through each of the stakeholders and a priority should be applied based upon recommendations from the Governor's Task Force. As previously discussed by NHP Captain Page, a data gap has been discovered related to DUIDR because the labs currently only test until alcohol is detected and I order to fully identify if marijuana or other drugs were present to just marijuana/drugs themselves, additional testing has to be conducted.*

*Additionally, should the recommendation be accepted there will be a fiscal impact related to the contracting for the purpose of the strategic plan, implementation and processes for data collection, management and reporting.*