



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Susan E. Manheimer  
Interim Chief of Police

**SUBJECT:** Cannabis Regulation and Youth Peer  
Support Grant

**DATE:** December 23, 2020

City Administrator Approval 

Date: Jan 7, 2021

## **RECOMMENDATION**

**Staff Recommends That City Council Adopt A Resolution Endorsing The Oakland Police Department's Application For A California Board Of State And Community Corrections (BSCC) Proposition 64 "Round 2" Grant In Collaboration With The East Bay Asian Youth Council And University of California at San Francisco (UCSF) Benioff Children's Hospital, In Support Of The Adult Use of Marijuana Act (AUMA) Public Health And Safety Implementation Programs.**

## **EXECUTIVE SUMMARY**

The California Board of State and Community Corrections (BSCC) is authorizing Proposition 64 "Round 2" funds to provide grants to local governments and community-based organizations (CBO's) to fund cannabis enforcement and youth education projects. The East Bay Asian Youth Council (EBAYC) and the UCSF Benioff Children's Hospital Oakland both support teen mental health and wellness at various Oakland high schools. These two CBO's wish to partner with the Oakland Police Department (OPD) to better support on-campus peer-to-peer support groups and individual life coaching and case management related to substance use.

The grant application requires every city or county involved in the collaborative proposal to submit a resolution indicating support of the collaborative effort and identifying its role(s) and responsibility/s relative to the grant. The grant application is due with the BSCC on January 29; therefore, a City Council resolution endorsing the application is needed before February 2021.

## **BACKGROUND / LEGISLATIVE HISTORY**

On November 2, 2004, the Oakland electorate passed ballot Measure Z, a voter initiative entitled "Oakland Cannabis Regulation and Revenue Ordinance". The ordinance requires the City of Oakland:

1. Make investigation, citation and arrest for private adult cannabis (marijuana) offenses the City's lowest law enforcement priority;
2. Advocate through its lobbyist and City officers for changes in state and other laws to (a) allow and authorize taxation and regulation of cannabis (marijuana) for adults and eliminate criminal penalties for private, adult cannabis use, (b) grant local

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control to cities and counties to license and regulate cannabis businesses and collect appropriate fees and taxes, and (c) end the prosecution arrest, investigation and imprisonment for adult private cannabis offenses;

3. Establish a system to license, tax and regulate cannabis (marijuana) sales if California law is amended to allow and authorize such actions; and
4. Create a committee to oversee the ordinance's implementation and disbursement of revenue from licensing and taxation of businesses that sell cannabis.

More recently, the State of California voters approved Proposition 64 (the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA)) in November 2016, which legalized the recreational use of marijuana in California for individuals 21 years of age and older. Oakland and the State of California passed these regulation and legalization laws in part with an understanding of the harms caused the nation's "war on drugs" policies which led to the incarceration of youth and people of color for marijuana possession and use.

Although Measure Z deprioritizes marijuana offenses and AUMA legalizes adult marijuana use, medical and research points to the harmful effects of marijuana use – especially for young people. The Center for Disease Control and Prevention states that, "Unlike adults, the teen brain is actively developing and often will not be fully developed until the mid-20s. Marijuana use during this period may harm the developing teen brain. Negative effects include:

- Difficulty thinking and problem solving;
- Problems with memory and learning;
- Impaired coordination; and
- Difficulty maintaining attention<sup>1</sup>

The California Board of State and Community Corrections (BSCC) is authorizing Proposition 64 "Round 2" funds to make grants to local governments and community-based organizations (CBO) to fund projects that assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of the AUMA. CBOs may apply directly to BSCC for a grant, but the grant rules allow for larger grant amounts when apply as part of a collaborative with law enforcement as the lead grant application agency.

The East Bay Asian Youth Council (EBAYC) is the lead agency of the Oakland High School Wellness Center, providing mental health, youth development, academic support, and college access services to Oakland High students. The UCSF Benioff Children's Hospital Oakland is the Lead Agency of the Castlemont High School Teen Health Center, which provides comprehensive care for adolescents and teens including primary care, mental health, and wellness services clinic. These organizations are both interested in supporting programs to address the harms of marijuana and controlled substances by the youth they serve.

## **ANALYSIS AND POLICY ALTERNATIVES**

The City of Oakland Police Department (OPD) intends to apply for up to million \$2,000,000 in Proposition 64 grant funding from BSCC as part of a collaborative proposal, with OPD as the lead applicant in partnership with EBAYC and UCSF Benioff Children's Hospital Oakland; the

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<sup>1</sup> <https://www.cdc.gov/marijuana/factsheets/teens.htm>

actual grant request may be less than one million, but there is a two million maximum grant amount. The grant application requires every city or county involved in the collaborative proposal to submit a resolution from its City Council or Board of Supervisors indicating support of the collaborative effort and identifying its role(s) and responsibility/s relative to the grant. This grant application requirement is unusual, as City Councils are not usually required to pass a formal resolution *before* and as part of a grant application. The grant application is due with the BSCC on January 29; therefore, a City Council resolution endorsing the application is needed before February 2021.

OPD's primary role and responsibilities will be detailed in the grant application in terms of: 1) Lead Public Agency Management and Implementation Plan; and 2) Project Purpose Focus Area 3 ("Law Enforcement activities that include but are not limited to: public information and outreach; training efforts; law enforcement; code enforcement; community planning or development efforts; cannabis delivery compliance, protective safety equipment; update to technology systems (track & trace); transportation impacts, water storage issues; fire protection; fuel mitigation and/or fuel reduction; and wildland/urban interface planning and implementation").

The grant rules require that at least ten percent of funding be used to fund Youth Development and/or Youth Prevention and Intervention – these roles will be primarily carried out by EBAYC and UCSF Benioff Children's Hospital in Oakland; the actual grant application plan may distribute a higher proportion of funds to the CBOs. OPD's grant collaborative grant application will provide detail in terms of providing trauma-informed, culturally competent services to the youth served through these organizations.

The grant application will detail: 1) on-campus peer-to-peer support groups to address cannabis and substance use/abuse, through the lens of history, culture, and community; and 2) individual life coaching and case management with youth demonstrating problematic cannabis and substance use. EBAYC and Children's Hospital will collaborate to engage youth at both high schools in participatory action and research summer campaigns to develop and disseminate year-round youth-centered social media public health messages and information on the health impacts of adolescent cannabis use.

OPD will provide an additional report and resolution to Council should the grant application lead to a grant award. This future resolution and report will detail how OPD and the CBOs will operationalize all program goals.

Staff there recommends that the City Council adopt the accompanying resolution to endorse OPD's application for a BSCC Proposition 64 "Round 2" grant in collaboration with EBAYC and UCSF Benioff Children's Hospital, in support of AUMA public health and safety implementation programs.

### **FISCAL IMPACT**

There is no fiscal impact associated with this report. A separate resolution will be required to accept and appropriate funds should the grant application lead to a grant award.

### **PUBLIC OUTREACH / INTEREST**

EBAYC and UC Benioff Children's Hospital were consulted in planning to apply for the BSCC Round 2 grant and in production of this report. No other public outreach was deemed necessary.

### **COORDINATION**

This report was reviewed by the Office of the City Attorney for form and legality.

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** Grant funds will be used in part to support local organizations that employ staff engaged in youth peer support and mentorship.

***Environmental:*** There are no economic opportunities associated with this report.

***Race and Social Equity:*** Cannabis use and abuse exists in many communities throughout the United States and locally; however, many any disadvantaged communities with greater proportions of people of color have faced criminal prosecution related to cannabis use. This grant application involves working with CBOs engaged in partnership with Oakland schools with a large population of youth from diverse backgrounds. Therefore, this grant application aims to serve communities where negative impacts of cannabis use and prosecution have been more prevalent.

**ACTION REQUESTED OF THE CITY COUNCIL**

Department's Application For A California Board Of State And Community Corrections (BSCC) Proposition 64 "Round 2" Grant In Collaboration With The East Bay Asian Youth Council And University of California at San Francisco (UCSF) Benioff Children's Hospital, In Support Of The Adult Use of Marijuana Act (AUMA) Public Health And Safety Implementation Programs.

For questions regarding this report, please contact Leronne Armstrong, Deputy Chief, OPD, Bureau of Field Operations, at LArmstrong@oaklandca.gov

Respectfully submitted,



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