

Managing Medical Marijuana in the Police Department's Workplace



Prediction

Legalized medical marijuana is **eminent** in local government once cannabis is removed from the Federal Government's **Schedule 1**.



Session's Take Aways



1. PD's will have to deal with medical marijuana in the workplaces
2. Drug policies need to be reviewed
3. Organizational values will have to change
4. Police Chiefs will have to lead the process

The Train is Coming Down The Track

- 23 States have approved
- House has passed a bill
- Proposed Senate bill (March, 2
- DOJ's "no prosecution" policy
- Colorado's positive "experience"
- Public acceptance (52%) = Political reality
- 73% of the public believe medical marijuana will be legal by 2020



Recent Swing States Poll

Voters who believe medical marijuana should be legal:

84%	84%	88%
Florida	Ohio	Pennsylvania



A New Challenge for the Police Chief



Complexity of the Issue for Police Departments

- Unique organizational culture
- Decades of War on Drugs mentality
- Overnight shift from criminal behavior to medical acceptance
- Predominance of safety-sensitive positions
- Operational entanglements
- Public and media interest
- Recruiting talent



The Emerging "Applicant Pool" Problem

Two Outcomes

- Applicant pool is reduced
- Possible loss of highly qualified candidates



Managing Medical Marijuana in the Local Government Workplace Facts

- ✓ No Police Chief has ever done it
- ✓ Neither has any City Manager or HR Director
- ✓ No one has ever done it



Police Chiefs will be operating without:

- Professional Experience
- Peer know-how
- “Lessons learned” papers
- Experienced counsel from higher ups



The Police Chief’s Job...

- Is the most difficult job in municipal management, and requires effective leadership:
 - Range and complexity of issues
 - Glare of the spotlight
 - Speed of which a crisis develops
 - The community’s underbelly problems
 - Organization’s culture
- Other departments can get by with solid management....but a police department requires good management and effective leadership.



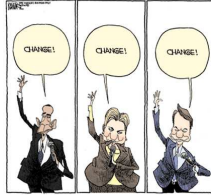
Failure to Effectively Manage Medical Marijuana Will Put the Police Chief at Risk!

- Workplace Tension & Disharmony
- Operational Dysfunction
- Costly Lawsuits
- Negative Media Coverage
- Community Controversy
- Loss of confidence by City Mgr or Mayor



Examples of PD Social/Legal Changes That Have Caused Police Chiefs to Retire Early

- Miranda Warning
- Search & Seizure (4th Amend)
- Civil Forfeiture
- Female Officers
- Juvenile Curfews
- Community Oriented Policing
- American Disability Act



Presentation's Narrow Focus

- Restricted to thoughts and ideas about managing medical marijuana in the Police Department's workplace
- Does not deal with any of the other existing local government issues associated with marijuana:
 - ✓ Crime
 - ✓ Policing practices
 - ✓ Revenue generation
 - ✓ Zoning enforcement
 - ✓ Licensing
- No "pro or con" arguments except that it is "medicine."



Presenter's Experience Relative to Marijuana

- Old School Generational Views
- Prison Correctional Officer
- Army Officer (Vietnam)
- City Manager
- PD Consultant



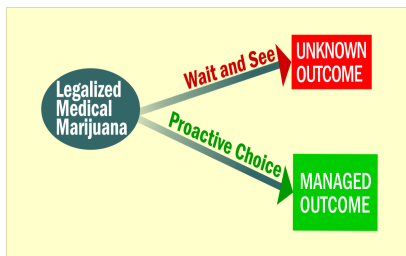
Presenter's "Research"

- Started with VA pain management advice
- Extensive reading (including *Reefer Sanity*)
- Discussions with:

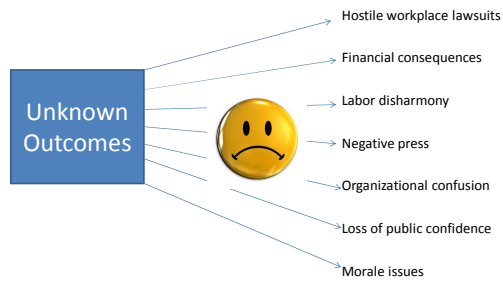
- Healthcare Professionals
- Police Chiefs
- Fire Chiefs
- Detention Administrators
- City Managers/HR Directors/City Attorneys
- Employees (different age groups)
- Elected officials
- Employment Workplace Lawyers



Medical Marijuana and the Police Chief -Two Choices



Wait and See Approach





Managing Medical Marijuana Outcomes

- Desired outcomes must be defined
Suggested Goal – Treat medical marijuana as are other mind-impairing drugs (vicodin, oxycodone, etc.)
- The process must be led by the Police Chief
- Fully supported by the Management Cadre

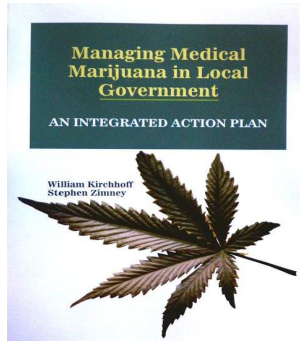
The logo consists of the words "READY, SET, GOAL" in a bold, sans-serif font. "READY," is in black, "SET," is in white with a yellow circle behind the "E", and "GOAL" is in white with a green arrow pointing to the right behind the letters.

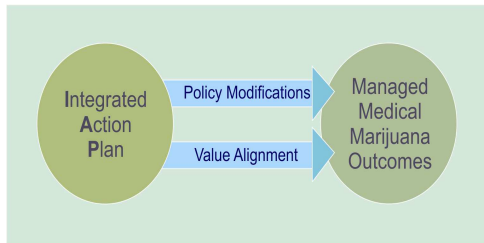
Suggested Pro-Active Steps for the Police Chief

1. Examine & upgrade existing drug policies
2. Re-set the PD's organizational culture through a "values alignment" effort.

A small 3D white figure is shown climbing a red staircase that leads upwards and to the right, symbolizing progress and achievement.

Integrated Action Plan





Three Employee Groups That Will Be Affected by Medical Marijuana

Abusers

- Users who will “game” the system
- Easy prescriptions; multiple delivery methods; social acceptance



Legitimate Users

Using for a legitimate medical problem
Willing compliance with all City/PD drug policies

Innocents

- Non-users affected by intrusion of medical marijuana in the workplace





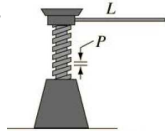
Step 1. Tighten Existing Drug Policies

Thesis

Most city and PD drug policies are inadequate now, and therefore inadequate for medical marijuana

Example

Reasonable Suspicion "training"



Recommendation

- USDOT type certification
- Training hours & and frequency
- Curriculum

Drug Policy Red Flags

- In compliance with USDOT?
- Are procedures clearly defined?
- Is the Chain of Custody for Evidence specific?
- Are types of drugs to be tested specifically defined?



"illegal drugs" → marijuana

Are unaccepted testing thresholds defined?

Most PDs Can Tighten Up Drug Policies with:

- PD Operational Input
- Substance Abuse Expertise
- HR Input
- Legal Review



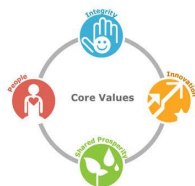
Model Drug Policy

- Serves as a checklist
 - Comprehensive and specific
 - Must be modified for each PD's:
 - Management philosophy
 - Collective bargaining agreements
 - State laws
 - Desired testing protocols
 - Staffing capacity
 - Revenue realities
- External Changes
- Testing technologies
 - Medical discoveries



Step 2. Value Alignment

- A. The alignment of an individual's values with the organization's values
- B. The alignment of an individual's actions/behaviors with the organization's values
- C. Getting the management cadre to walk their talk.




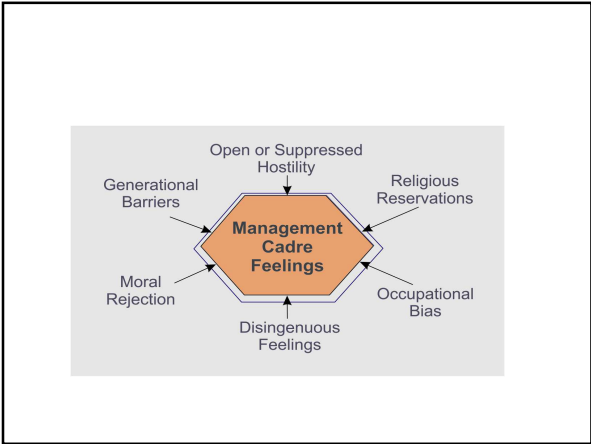
Management Cadre Pushback



Value Alignment Measurements of the Management Cadre

- First Step in Values Alignment effort
- What are "feelings" with respect to medical marijuana being used by employees
- Customized Values Identification Measurement Instrument
 - For cops
 - Location geographical location
 - Age, experience & knowledge of medical marijuana are key factors





Research Question # 1



Should the length of “no marijuana use before employment with a PD (usually 3-5 years) be reduced?

Research Question # 2

2. What is a *reasonable period* of “no marijuana use” before employment?

- ✓ 6 months
- ✓ 1 year
- ✓ 3 years
- ✓ 5 years



Research Question # 3

3. What group should do the research and set the standard?

- ✓ IACP
- ✓ PERF
- ✓ CALEA
- ✓ State Police Chief Associations



Closing Comments

- If cannabis does not come off schedule 1, I've wasted your time
- If it does, you are steps ahead of your City Manager, HR Director & City Attorney