

Councilmember Laurie Capitelli  
Councilmember Jesse Arreguin

## **REVISED AGENDA MATERIAL**

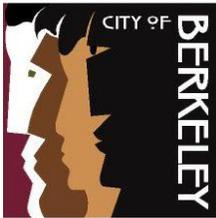
**Meeting Date:** July 2, 2013

**Item Number:** 11

**Item Description:** **Marijuana Smoking, Tobacco Smoking and Alcohol Consumption by Minors, Particularly in the Environs of Civic Center Park**

**Submitted by:** **Councilmembers Laurie Capitelli and Jesse Arreguin**

One sentence was added to the Background of the item (underlined) to clarify the author's understanding of the voters' intentions in 1979 related to marijuana use by minors.



Berkeley City Council

REVISED: CONSENT CALENDAR

July 2, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmembers Laurie Capitelli and Jesse Arreguin  
Subject: Marijuana Smoking, Tobacco Smoking and Alcohol Consumption by  
Minors, Particularly in the Environs of Civic Center Park

RECOMMENDATION

Request that the City Manager and Berkeley Police Department work with BUSD and the Berkeley Unified School District Board to:

- a. Create policies and procedures to more actively discourage marijuana smoking, tobacco smoking and alcohol consumption by minors, particularly in the environs of Civic Center Park.
- b. When there is opportunity for discretion, emphasize intervention and recovery, rather than enforcement and discipline.
- c. Research best youth diversion programs, for discussion of possible implementation in Berkeley.
- d. Ensure that effective interventions are available to assist students who use marijuana, tobacco, alcohol or other drugs.
- e. Report back to City Council at September 17<sup>th</sup> meeting with outline of recommendations and associated costs.

BACKGROUND

The most recent California Healthy Kids Surveys from 2006, 2008, 2010 and 2012 provide ample evidence that Berkeley youth are using alcohol and marijuana at significant rates, sometimes higher than California and U.S. averages.

- At least once in their life, of Berkeley 11<sup>th</sup> graders surveyed:  
64% have used alcohol (compared to 66% of California youth)  
56% have used marijuana (compared to 42% of California youth)
- In the last 30 days, of Berkeley 11<sup>th</sup> graders surveyed:  
45% have used alcohol (compared to 42% of California youth)  
37% have used marijuana in the last 30 days (compared to 24% of California youth)
- In the last 30 days, of BTech (Berkeley's non-traditional high school) 11<sup>th</sup> graders surveyed: 64% have used marijuana
- At least once in their life, of Berkeley 11<sup>th</sup> graders surveyed, 34% reported being high or drunk on school property

Community environmental factors and social norms contribute to these high rates. Minors can easily obtain marijuana and alcohol; students see drug and alcohol use as being less harmful than smoking tobacco; and there is a common perception that our community is tolerant of use by minors. The City's written and effective marijuana policy is unclear – it puts enforcement of marijuana laws as the lowest priority for the police, and makes no distinction between minor and adult use. Notwithstanding the literal language of BMC 12.24 approved by Berkeley voters in 1979, we do *not* believe it was the voters' intent to discourage any type of action with respect to the smoking of marijuana by minors or to adults who sell marijuana to minors.

The use and abuse of marijuana and alcohol by minors impairs a child's physical health, emotional development and academic success. Substance use and abuse is linked to other high-risk behaviors and can have devastating effects on families and the community as a whole.

In 2008, in response to this alarming data, the City of Berkeley and the Berkeley Unified School District formed a partnership to jointly address Alcohol, Tobacco and Other Drug (ATOD) use and abuse among Berkeley's youth.

The mission of the City/BUSD ATOD Task Force has been: *To identify, develop and implement Alcohol, Tobacco, and Other Drugs (ATOD) prevention and intervention programs and services, including evidence-based curricula, environmental prevention, and youth development strategies, which increase awareness and reduce use and abuse of ATOD among youth in our community.*

One of the key recommendations of the Task Force Report from 2010 is to focus on environmental factors that contribute to frequent use of drugs and alcohol by Berkeley youth. The report specifically calls for a city-wide coalition to decrease the use of alcohol, marijuana and other drugs in and around Civic Center Park, schools and other public areas in the Berkeley community.

This is a city-wide, cross-jurisdictional challenge. Successful implementation of these recommendations requires city and school district collaboration. Coordinating City and BUSD policies and procedures to more actively discourage ATOD use by minors would help improve Berkeley youth's health and school performance, offering them greater opportunities for future success.

#### FINANCIAL IMPLICATIONS

Unknown. Staff time to develop policies and procedures.

#### CONTACT:

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