



April 15, 2019

Dear Committee,

My name is Stacey Linn, I am the Executive Director of CannAbility Foundation. We seek to provide education, resources and advocacy to assist families who wish to treat their disabled/medically fragile children with medical marijuana. We also provide political and regulatory consulting on medical cannabis, disability rights and child welfare issues. I am the mother of Jack Splitt, a medically fragile, profoundly disabled teenager and medical cannabis patient, for whom I created Jack's Law in 2016 to allow the use of medical cannabis at school for qualifying children. I founded CannAbility in his honor in order to help educate other families and the public on treatment with medical cannabis, to both reduce the stigma and dispel uninformed myths about cannabis as a medical treatment.

Of greatest concern to me, and to those I represent through my foundation, is safe access to cannabis medication by cannabis patients. The people of Denver voted to allow consumption spaces in Denver, to allow greater access, and to get cannabis consumption off the streets. However, only two have been able to open in order to serve the public need created by this program. This is primarily due to restrictive setbacks established in the rule-making process. These setbacks are stricter than alcohol setbacks, despite the fact that alcohol is much more dangerous than cannabis, and access to alcohol related establishments is far easier than access to cannabis would be in consumption establishment.

These establishments are vital to both cannabis patients and the safety of our city. Many cannabis patients are also lower income families who live in public housing where cannabis consumption is not permitted--veterans in particular. Where are they to consume their medication? Where are medical patients to medicate when there are children in the house? In addition, a consumption space allows for patients to connect with other patients. One of the most common and detrimental problems that people with medical problems face is isolation. Isolation has been proven to cause depression and worsening of the disease process--especially with PTSD which is common to veterans.

Outside the medical patient community, where are tourists supposed to consume cannabis? They cannot do it in the car, in the park, or in a hotel. They end up doing it out in the open where children and others who do not want to be exposed to cannabis are present. This is unacceptable. Denver voted to allow consumption establishments to stop people from consuming out in the open.

Please support the measure to reduce the additional setbacks reduce the additional proximity setbacks added by Denver Excise and Licensing shortly after voters approved the measure in 2016. The additional setbacks have frustrated the intent of the voter approved initiative by blocking would be businesses to participate in the neighborhood-supported Cannabis Consumption Program. Since the

voters approved the measure only two businesses have opened while dozens continue to ask for regulatory relief to help find eligible locations.

The current rules are protecting nobody. The reality is that children in Denver are the ones who are most harmed by the current rules because they are forced to witness cannabis consumption happening all over this City. They see it in parks, in public spaces, and on sidewalks and right-of-ways because there is no legal place for tourists, residents or patients to consume. I think we can agree that it would be safer for a child to know about a consumption establishment in the area, or see a building, than it is for them to inhale second hand smoke from someone walking by them as they illegally consume on the street.

Creating these licensed spaces is about honoring and reconciling the reality that Denver currently benefits economically from the sale of cannabis products, while criminalizing the use of those legal products. The proposed measure maintains the 1000 ft setback from schools from the original initiative approved by the voters, but reduces distance requirements for daycares, treatment centers, and recreation centers & pools, as these additional requirements created by Denver Excise and Licenses go beyond the voter-approved measure. Under the proposed measure, those additional requirements added will remain in place, but will be reduced to 500 feet consistent with state law regarding alcohol and proximity restrictions for bars and taverns.

The voter-approved measure retains all provisions that exist to protect neighborhoods and the public. These facilities must follow strict compliance rules including no visibility of consumption and only allowing those 21+ to enter. Additionally, plans must be approved for ventilation and monitoring intoxication. These facilities cannot exist in residentially zoned areas and may not be less than 1000 feet from schools. All applications must have neighborhood support prior to applying and must have a public hearing before the application can be approved.

Please support this modest compromise.

If you have any questions please feel free to contact me. Or, I will be appearing for public testimony tonight as the City Council considers additional setbacks governing the establishment of public consumption spaces, and I will be available in person.

Thank you for your consideration.

Sincerely,  
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