



***International Association of Fire Fighters
AFL-CIO, CLC***

***Testimony Before the
Special Committee on the
Non-medical Use of Drugs (Bill C-38)***

**November 3, 2003
Ottawa, Ontario**

Jim Lee
*Assistant to the General President
for Canadian Operations*

On behalf of General President Harold Schaitberger and the 18,600 professional fire fighters we represent in Canada, I appreciate this opportunity to be here this morning to provide the committee with some comments from the International Association of Fire Fighters about Bill C-38.

As an opening comment, I'm not going to provide a position on the de-penalization of marijuana possession, or the greater philosophical questions about the recreational and other uses of marijuana. That's an issue for other groups to debate, and I will leave it for them. Besides, I'm sure this committee has already listened to some very compelling arguments from both sides.

Rather, our interest in this issue is linked to a very real danger that fire fighters face in relation to the cultivation of marijuana, which is addressed in the legislation before us. Specifically, my comments will apply to sections 6 and 7 of the bill, which deal with the cultivation or production of marijuana, and setting of a trap in an area used for production.

To state our position simply, places of cultivation pose a variety of dangers to fire fighters, and the setting of traps in these places is a particular threat to us. So we certainly support any legislative initiative that would deter this activity.

Therefore, we fully support the proposals of C-38 that would increase the penalties for cultivation of marijuana, and particularly the proposal under Section 7, Paragraph 2 that would require a court to consider the setting of a trap as a factor during sentencing for cultivation offences.

Police and the media across Canada tell us that the number of marijuana growing operations is skyrocketing. And there is a growing incidence of traps found inside these illegal operations, traps designed to kill or maim anyone who interferes with the operation.

Why is this a threat to fire fighters? Many of these operations use illegal hydro hookups, and as a result, they're prone to starting a fire. In fact, fires are common in these operations, which are often found hidden inside residential homes. And when that happens, we're first through the door, directly in the way of any kind of trap that may have been set.

There have indeed been cases of fire fighters seriously injured, by so-called booby traps at these drug operations. In Kelowna, British Columbia in 1999, a fire fighter received a severe electric shock while responding to a fire at a residence being used as a marijuana operation.

Also in British Columbia, fire fighters responding to a residence that turned out to be a marijuana operation found a crossbow mounted with a tripwire... fortunately, it was not loaded at the time, because it was aimed at chest height....

In Brampton Ontario, a fire fighter was seriously injured after he fell through the floor into the basement of a residence being used as a marijuana grow operation... the floorboards beneath the windows had been cut way, and a carpet was laid over the opening to conceal the danger.

The Canadian Press reported recently that a marijuana field in Nova Scotia was protected by shotguns, again mounted with tripwire, and an individual was actually shot in the leg in that case.

There was also a case in Toronto earlier this year where a live, 7-foot alligator was found in the basement of a home being used to grow marijuana. In other cases, explosives are rigged to go off when a door is opened.

As I noted there has been a number of close calls... which leads us to believe that perhaps it will only be a matter of time before there is a tragedy involving a fire fighter. In that regard, we are pleased to see this issue addressed through legislation *before* a tragedy, and not after.

Members of the committee may be familiar with Bill C-32, which is also before parliament. This bill, among other things, increases Criminal Code penalties for setting a trap and creates the offence of setting a trap in a place kept for a criminal purpose.

The IAFF strongly supports Bill C-32, and we submit that C-38 would serve to complement that proposal, thereby creating additional deterrence against the setting of traps in illegal drug operations.

If this legislative deterrent will make just one marijuana grower decide against setting a trap to protect their crop, then fire fighters are already safer. If these deterrents significantly reduce the incidence of traps inside drug operations across Canada, then a new and critically-important protection for fire fighters has been achieved.

In conclusion, we encourage this committee, in the name of fire fighter safety, to reflect positively on Sections 6 and 7 of Bill C-38. I thank you again for this opportunity and I look forward to answering any questions that you may have.

Jim Lee

Assistant to the General President for Canadian Operations

**International Association of Fire Fighters – Canadian Office
403-350 Sparks Street, Ottawa, Ontario K1R 7S8
(613) 567-8988**