

**Norton, Melissa K**

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**From:** Adam Cagle <adam@689design.com>  
**Posted At:** Friday, February 15, 2013 11:21 AM  
**Conversation:** RFP-K430, Adam R. Cagle  
**Subject:** RFP-K430, Adam R. Cagle

(if you get this twice, they are identical... had a sending error on the first one so just making sure... thanks)

To whom it may concern,

Or team of Adam R. Cagle, Frank Miller, David Malone, and Zander Vera thank you for the opportunity to respond to your needs. Attached you will find the proposal and all required paperwork our team is submitting for the K430 Initiative 502 Consulting Services RFP. Please don't hesitate to contact me with questions or any additional needs.

Sincerely,

.....  
Adam R. Cagle  
Partner  
689 DESIGN

7927 Mustang Loop Road  
Park City, UT 84098  
P: 562.366.1737  
C: 562.290.2689  
E: [adam@689design.com](mailto:adam@689design.com)  
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.....

**Norton, Melissa K**

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**From:** Adam Cagle <adam@689design.com>  
**Posted At:** Friday, February 15, 2013 11:11 AM  
**Conversation:** RFP-K430, Adam R. Cagle  
**Subject:** RFP-K430, Adam R. Cagle

To whom it may concern,

Or team of Adam R. Cagle, Frank Miller, David Malone, and Zander Vera thank you for the opportunity to respond to your needs. Attached you will find the proposal and all required paperwork our team is submitting for the K430 Initiative 502 Consulting Services RFP. Please don't hesitate to contact me with questions or any additional needs.

Sincerely,

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**Adam R. Cagle**  
**Partner**  
689 DESIGN

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# 689 DESIGN

BRANDING + CREATIVE + STRATEGY

Thursday, February 14, 2013

689 Design  
7927 Mustang Loop Road  
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WSLCB Headquarters Building  
3000 Pacific Ave. S.E.  
Olympia, WA 98501

Dear Members of the Washington State Liquor Control Board,

It is our pleasure to submit a proposal for K430 Initiative 502 Consulting Services. I am the point person and principal for this project, Adam R. Cagle, my information is below. We are submitting as an individual with two sub contracting companies despite being a partner in one of those businesses to allow us to establish a separate LLC or entity to complete this work as it outside the scope of work typical for my company, 689 Design.

Adam R. Cagle  
689 Design  
7927 Mustang Loop Road  
Park City, UT 84098  
562.366.1737  
[adam@689design.com](mailto:adam@689design.com)  
[689design.com](http://689design.com)

Our team will be operating out of two locations, 689 Design who's information is above and at Miller Malone and Tellefson at the following location:

MMT Law Firm  
2110 Ruston Way #F  
Tacoma, WA 98402-5308  
Phone: 253-759-9595  
Fax: 253-759-9995

Our group will be responding to all four of the categories discussed in the request for proposal.

7927 Mustang Loop | Park City | Utah | 84098

[www.689DESIGN.com](http://www.689DESIGN.com)

# 689DESIGN

BRANDING + CREATIVE + STRATEGY

Two members of our MMT Law team, Frank Miller and David Malone both have prior state employment with the Washington State Attorneys office. Neither is currently employed by the state directly and we see no conflict of interest.

Since we have several people representing multiple companies in our proposal we have included names in our proposal for clarity sake. You are welcome to edit the proposal in anyway you need for the bid process. Please don't hesitate to contact me directly if you have any questions or require any further information that what is contained herein.

Sincerely,



Adam R. Cagle  
Partner, 689 Design

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Adam R. Cagle

Project Proposal

Prepared for: State of Washington - LIQUOR CONTROL BOARD

Prepared by: Adam Cagle, Partner and Managing Director

February 12, 2013



Adam R. Cagle

## Table of Contents

1.1 Introduction	1
1.2 Why do I want to do this?	1
1.3 My Team & Process	2
1.4 689 Design	2
1.5 Frank Miller & David Malone	3
1.6 Process	5
2.1 Category 1 - Product and Industry Knowledge	6
2.2 Experience	7
2.3 Team Assignments	7
2.4 Approach & Methodology	8
2.5 Deliverables	9
3.1 Category 2 - Product Quality Standards & Testing	10
3.2 Experience	10
3.3 Team Assignments	11
3.4 Approach & Methodology	11
3.5 Deliverables	12
4.1 Category 3 - Product Usage and Consumption	13
4.2 Experience	13
4.3 Team Assignments	13
4.4 Approach & Methodology	14
5.1 Category 4 - Product Regulation	16
5.2 Experience	16
5.3 Team Assignments	16
5.4 Approach & Methodology	16
6.1 Budget	18
7.1 Conclusion	22
Appendix A - Required Documents	23
Appendix B - Letters of Reference	30

## 1.1 Introduction

My name is Adam R. Cagle and I am the consultant you seek to facilitate the newly legal marijuana industry in the great state of Washington. I am a partner in the full service advertising and strategy agency 689 Design. In the decade since I started 689 Design, I have developed and executed marketing strategies for AMD Computers, Raleigh Film Studios and other billion dollar clients. I am the right person for this proposal simply because I can bring a team of knowledgeable people together, lead that team, and get this job done right. While I know you will get applicants with more current growing background, I feel that my experience, along with the experience of those I will bring to the table will far exceed your needs and expectations. While I am not a scientist, there are plenty that would love to speak to me, and while I am not an attorney I believe I bring the best law firm for this task to the table. What I am is the person that can get this job done in the best way possible within the budget you propose. Simply put, I can develop great strategy and execution, it's what I do, I would love the opportunity to do it for the great State of Washington.

## 1.2 Why do I want to do this?

We live in a nation with over 1% of our population incarcerated, many related to drugs, specifically marijuana. We can be better Americans than that. The demand for marijuana and prohibition have combined to see criminal enterprise flourish, money thrown good after bad at it from enforcement to incarceration, and created a rift between government and their citizens that should not exist. I believe this situation can be repaired in short order. The key is this process can not fail. Washington State has become a pioneer. Your state and Colorado have succeeded in an area that California and others have failed, simple legalization. If awarded the job, we will discuss all the benefits of being the pioneers and how to make the most of them, but this role also comes with responsibility. My goal for Washington State regulation is that we provide the very safest and highest quality marijuana that has an easily discernible potency to consenting adults in the most cost effective manner possible. We must succeed in order to forge a path of certainty for those that will inevitably follow so that we ensure the voters of Washington State all the potential positive effects of legalization while mitigating on every level any adversity that may arise.

## 1.3 My Team & Process

I have responded to all areas of your proposal as requested and in order, however I thought it prudent that I address our team and process up front as it may be somewhat of a unique methodology and frankly it's a fantastic team that I am quite proud to have assembled.

## 1.4 689 Design

As I have disclosed, I am the Managing Partner at 689 Design and I own half the company. The other half is my long time business partner Zander Vera. While I have chosen to address the proposal in whole as an individual, I intend to lean on my company for some much needed design, programming, data gathering, and communication including emails and social media.

Letters of reference have been provided for your review. In addition to being the best agency for the job, because of my ownership they are offering lowered rates and will be a seamless partner in this process.

In the next section you will find the 689 Design biography for Zander and myself.

### **Adam Cagle and Zander Vera**

Adam and Zander have been working in interactive strategy, architecture, marketing and design for nearly 20 years each. They first met while developing and launching FirstSource.com, an online marketplace housing 600,000 products through five distributors with real time pricing and availability, and have been inseparable ever since. They next built an interactive department at DGWB Advertising which quickly grew to service every client in the building, including Toshiba, LoanWorks.com, LA Gear, and Clarion.

From DGWB, Adam and Zander left to flex their entrepreneurial muscles and start 689 Design, a full-service interactive consultancy. In the last 12 years, 689 Design has worked with clients such as Make-A-Wish Foundation, COX Communications, ViewSonic, Magnolia Hotels, Sunset Marquis Hotel, Hotel ZaZa, Raleigh Studios, AMD Computers, Traveler Guitar and Synxis. The partners of 689 Design have won awards for design, interactive, and copy writing from the Ad Club, Addy Awards, Webby Awards, one CLEO, and a handful of other merits. Strategy, experience, and a record of success since the dawn of the internet make 689 Design the right choice for this project.



Letters of reference have been provided for your review. In addition to being the best agency for the job, because of my ownership they are offering lowered rates and will be a seamless partner in this process.

## 1.5 Frank Miller & David Malone

I am not an attorney, but for this process I knew one or more great attorneys would be required. I put significant research into finding the right person or firm for this job. At the end of my research I had a list of several firms that met my requirements: which were simply, a history with the Washington State Liquor Control Board, a history of regulatory work and an understanding of existing liquor laws as pertaining to distillation and distribution, and an office in the State of Washington that could be our local hub. I believe the perfect match for this job to be Frank Miller and David Malone of Miller, Malone, and Tellefson.

### **Frank Miller**

Frank Miller has spent over thirty years of his career in all aspects of the gaming industry, from regulation to legal representation. During the last ten years, he has added alcohol, tobacco and insurance regulation to his areas of expertise. Frank graduated from Gonzaga Law School in Spokane, Washington, and began his career with the Washington State Attorney General's Office in 1982. In 1984, he was assigned as Chief Legal Counsel to the Gambling Commission. In 1986, he became the Commission's Deputy Director and, in 1988, was given the responsibility of developing the Class III gaming regulatory program and negotiations process in Washington. In January 1991, Frank was appointed as Director of the Gambling Commission. He led the negotiations team for the state for nine years, resulting in nineteen Tribal-State Compacts for Class III Gaming. In 1995, Frank was President of the North American Gaming Regulators Association (NAGRA). He resigned as Director in 1997 to pursue private practice.

Frank has worked with numerous tribes, states and provinces in the development of gaming regulations and programs since the fall of 1997. He has consulted with governments in Latin America and the South Pacific in the area of Internet gaming regulation. He is also a founding member of the International Masters of Gaming Law. He has consistently been recognized as one of the best gaming and regulatory lawyers by his peers, as has the MM&T law firm last year by US News and Business.

**Dave Malone**

Dave Malone has been with Miller Malone & Tellefson since October 1999. He is a recognized expert in regulatory licensing issues in the areas of gaming, alcohol, tobacco and insurance. In addition to extensive administrative hearings work before the Washington State Gambling Commission and the Washington State Liquor Control Board, Dave has written advisory opinions on Class II and III gaming in several states, regulatory gaming compliance in Washington, and machine gaming in numerous jurisdictions including Mexico, Canada, and Israel. Dave has served as a co-chair and/or presenter with the Northwest Gaming Summit since 2006, and is currently the President of the Evergreen Council on Problem Gambling.

Prior to joining the firm, Dave spent five years with the Washington State Attorney General's Office where he represented both the Washington State Department of Natural Resources and the State Parks and Recreation Commission. As an Assistant Attorney General, Dave provided legal counsel on such issues as the DNR Habitat Conservation Plan and the State's salmon recovery efforts. Dave also took part in litigation at the state and federal level involving the Habitat Conservation Plan, the Loomis State Forest, and aquatic lands.

Dave earned a Bachelor of Arts with distinction from the University of Washington, a J. D. from Seattle University School of Law (formerly the University of Puget Sound School of Law), and a Master degree from the University of Washington's School of Marine Affairs. In addition to being admitted to practice in Washington State, Dave is admitted to both the U.S. District Court for the Western District of Washington, the U.S. District Court for the Eastern District of Washington and the Ninth Circuit Court of Appeals.

I have spent a significant amount of time on the phone with David Malone and Frank Miller discussing this process and believe them to be an integral part of this team. They are committed to me for the project at hand, but I also believe that they will serve as excellent partners for any future needs regarding the legalization of recreational marijuana in Washington State.

## 1.6 Process

I will detail specific processes in each section of the proposal; however, overall we will maintain some standard methodology. First, I am proposing the construction of a website and social media presence for the duration of this project. I have found that old fashioned focus groups have merit when speaking to growers or testers specifically; however, I believe an online presence will best engage the public, gather the most accurate data, meet the requirements for an open process. We intend to post initial findings and suggestions in areas we feel appropriate and garner public feedback in order to incorporate these ideas into our final reports.

Our web presence will also need some advertising to raise public awareness. We intend to focus on newspapers, local trade publications, and direct marketing pieces that will engage the community and invite their collaboration.

MMT will be informed consistently of findings as they arrive and research will be incorporated into all facets of the project in real time.

## 2.1 Category 1 - Product and Industry Knowledge

After high school I moved to San Francisco to attend the Academy of Art, but made it no secret that the burgeoning medical marijuana movement was a big influence on my decision. I took a job as an Art Director at a San Francisco Newspaper and quickly found a political internship with Dennis Peron who was hard at work on authoring Prop 215. I was mesmerized. Peron was neither Cheech nor Chong, he was taking the Federal Government head on, he was changing policy, and before we knew it he was running for president. Although I was admittedly just an artist, a cog in a very large wheel, but our wheel won the day and medical marijuana came to be.

During this time I met many growers from indoor to outdoor and began my own indoor operation in a house in Daly City. I began with 10 clones and some seeds, within a year I was cloning, mixing genetics, and creating my own strains. I typically gave away most of what I grew that I didn't smoke or consume, it was clear that I had fallen in love with the process and not just the product. A guy who notoriously killed every houseplant his dear mother had ever brought him all of a sudden had a green thumb.

After college I moved to Los Angeles and took a job with a dot-com where I met Zander Vera who has been my Creative Director and business partner for the last two decades. I kept growing for a few years, but as our company grew I eventually left growing behind.

## 2.2 Experience

I am intimately familiar with the entire operation of commercial marijuana from growth, cultivation, and harvesting to curing and processing, having done them myself on a small scale and assisting in larger operations during college, all performed legally under California State Law. I have infused marijuana into both food and beverages. Additionally, as it will be addressed later, I have also used marijuana to create oils and concentrates. I am aware of the packaging, labeling, and transportation standards of the state of California and find them lacking. I also have 20 years of experience in designing packaging and labels for a variety of retail products. I am familiar with bar coding and RFID as measures for tracking and recall of product other than marijuana and can apply that knowledge to the project at hand. I can cite cases on destruction methods of marijuana by federal and state agencies and I understand from study the destruction of recalled food and believe I can apply that understanding to this task.

## 2.3 Team Assignments

( Team qualifications provided in the section 1 )

Adam R. Cagle	-	Lead
Frank Miller & David Malone	-	Legal
689 Design	-	Web/social/print etc

## 2.4 Approach & Methodology

### Your proposal requests the following:

1. Minimum standards relating to the growth, harvesting, transporting and sale of useable recreational Marijuana
2. Minimum standards for Product safety relating to the infusion of Marijuana or Marijuana byproducts in food, beverage, lotions, ointments or other Products to be sold in retail locations
3. Minimum standards for the tracking and reconciliation of Product grown, sold, and/or destroyed

We believe the following areas also need to be addressed:

**Oil / E-Cigs** - In addition to the products you listed we would also explore marijuana-based oils. This can be a very pure and concentrated, but very clean form of THC absorption. There are methods from the questionable such as Butane Hash Oil to much further refined and pure methods such as centrifuge pressure extractions that can actually be made free of almost all impurities in a lab setting.

Beyond just recommending methodology for oil, we would also discuss with e-cigarette manufacturers the requirements for compatible cartridges containing marijuana oils. By getting ahead of this right away and having vaporizing e-cigarettes that burn pure marijuana oil we will be addressing head any possible rise in health concerns from increased marijuana smoking by providing a safer alternative from day one.

### Process

My process will be to first research the latest growing and selling standards from Washington, California and any other areas that we can find contacts. I will limit our research to states that have current legal medical use to avoid legal issues and people committing state crimes. I will discuss with multiple growers and distributors their best practices. I have enough contacts to complete this now, but I will actively reach out to Washington State growers to get local ideas.

The clinics for medical marijuana have current labeling and packaging standards for several states. I will discuss these methods with clinics and suggest any needed improvements.

I will reach out to Nutrient companies. I would like their help in defining a general standard for the nutrition and fertilization of consumable marijuana and a further standard for select marijuana to be labeled organic. We must know exactly what we do and don't want to put into Washington States's soil, rivers, plants, and animals. All of which can be adversely affected if the wrong decisions are made. This will be a very large industry very quickly and I believe we can set a high bar in the area of creating clean low impact crops.

All of the above people will talk to us for the simple reason that they stand to make a lot of money and see a lot of business from this change in law. They will have a vested interest in our open offer to co-create the process with them.

I will also provide any relevant information on current marijuana tracking and reconciliation, but already feel that looking to the liquor industry standards and building on our legal teams expertise in that arena will provide the best path to a solution in this area.

## 2.5 Deliverables

Adam Cagle's report discussing findings from relevant sources, feedback received from the state population online, and final conclusions.

MMT's report to address legal standards in these areas.

689 Design will be using this time to build our online presence

## 3.1 Category 2 - Product Quality Standards & Testing

I am well versed in the process of marijuana testing, the equipment used, and the results provided. I understand enough to effectively engage experts in the field of testing and testing equipment and disseminate their knowledge into the items that you require.

689 Design has over 12 years of designing packaging and labels for many industries. Their expertise will provide us a means of translating the statistics into easily understood labeling.

MMT has significant experience with Liquor labeling and will provide the legal definition of a label.

## 3.2 Experience

My experience in Marijuana testing is from literature and sampling tested and labeled wares for many years. The areas I am familiar with testing are potency, mold and fungal screening, and pesticide analysis.

### **Potency Testing**

The methods I am familiar with are gas and liquid chromatography. Cannabis can give you completely different results depending on the relative amounts of these cannabinoids, THC, cannabinal (CBN), cannabidiol (CBD), cannabichromene (CBC) and cannbigerol (CBG).

Gas chromatography is used for flowers and concentrates and Liquid chromatography is a preferred method for edibles and ingestibles.

### **Mold and Fungal Testing**

This is typically performed by a trained lab tech with a high magnification microscope. There are possible means of managing this process in a more automated fashion on a higher volume.

### **Pesticide Analysis**

This process is also done with a chromatograph. Samples are typically analyzed for all chlorinated, fluorinated and brominated pesticides including synthetic pyrethroids, harmful fungicides like Myclobutanil and Plant Growth Regulators (PGR) like Paclobutrazol (PBZ).



### 3.3 Team Assignments

( Team qualifications provided in Section 1 )

Adam R. Cagle	-	Lead
Frank Miller & David Malone	-	Legal
689 Design	-	Label Design

### 3.4 Approach & Methodology

I will discuss testing with current testing organizations that serve the medical marijuana industry and get their input on testing potency, screening for mold and fungus, and pesticide analysis. We will discuss any further methods they bring to light. We will also discuss recreational testing vs. medical testing and if they see any differences. We will discuss what tests should be performed, who should perform them, what equipment and setting should be used for testing, how much should be tested, and how the results should be presented.

I will also contact, where needed, the manufacturers of chromatography and other lab equipment used in the process to determine appropriate equipment specifications.

#### **Genetic Modification**

I would also like to address preventing "Genetic Modification" of marijuana to be sold for recreational use, along with limiting ownership of marijuana lines to brands rather than genetic lineage and I am prepared to provide discussion on each.

MMT will provide legal recommendations for labeling standards and work with 689 Design to create a set of sample labels that both meet the legal requirements and convey the information to the consumer in an effective manner.

689 Design will share design directions online once approved by WSLCB to do so and provide a method of getting consumer feedback in the form of a survey or poll. This effort will help us test proposed labels and recommend a final version.

## 3.5 Deliverables

Adam Cagle will provide a report on findings from testing agencies and equipment manufacturers.

MMT will provide a report discussing Labeling Standards and Requirements as defined by law.

689 Design will design label directions and conduct online discussion groups and surveys to help verify the ease of use to the consumer and report on the results.

## 4.1 Category 3 - Product Usage and Consumption

689 Design can provide both the set up and implementation of statistical research programs and provide detailed results tracking.

689 Design has gathered, researched, quantified, and provided reports on statistical data for clients across various demographics and market segments for the last 12 years. Prior to that the agency partners provided these same services for a variety of companies as consultants or contractors for advertising agencies.

## 4.2 Experience

689 Design done this type of work for companies such as Toshiba, Avery Dennison, Bigfoot Networks, COX Communications and many others. Although we have never produced reporting on production and consumption of marijuana we have conducted similar studies on everything from video games to the travel market.

As one example, for the gaming market, we provided statistical breakdowns by state and major city for Bigfoot Networks to establish potential market size for a new product. This job is directly related, as the product in question was new to the consumer gaming marketplace much like marijuana is new to the recreational drug market.

MMT has worked with labeling standards in the liquor industry and is qualified to provide legal definition for marijuana labeling standards.

## 4.3 Team Assignments

( Team qualifications provided in Section 1 )

Adam R. Cagle	-	Lead & Research Strategy
689 Design	-	Online Methodology

## 4.4 Approach & Methodology

The first method I will use to extrapolate the demographics of Washington's Cannabis smoking population is the focused interpretation of existing statistics. The "2010 National Survey on Drug Use and Health" and the "2004 Office of Applied Studies, National Survey on Drug Use and Health" are two good examples of existing data on the subject. They give us geographical and demographic information that can be interpreted based on location, city or rural living, and age to give us some pretty accurate data on the number of marijuana users.

Consumption and psychographic information will be garnered from our website along with being a second source for our demographic information. 689 Design will create a site that allows for user accounts, surveys and forms, and forums for discussion. Our site will be used to gather data in a variety of areas addressed in this proposal, but gathering user demographics and consumption information to create or verify statistics will be its main function beyond informing the public. We intend to allow users to create accounts anonymously to avoid any concern regarding federal prosecution for illegal activities. We will use a combination of IP tracking and geo location to attach user accounts and responses to analytical information and ensure that we limit inclusion in the final results to Washington Residents. In addition to the standard psychographics we will concentrate on their preferred methods of marijuana use and their consumption habits.

We will go beyond simply asking questions and we will conduct focus group type discussions online via the forms and use the site for the duration of our contract to interact with the citizens of Washington State. We will offer them the chance to understand the process, discuss key issues, vote on or help sway ideas, share ideas via social media, and in the end feel like they have co-created the legislation with the consultants, attorneys, and law makers assigned to this process. We will also maintain an email list and site based signup that will allow WSLCB to reach out to this group at any time during the process. This plan will go far beyond a few in person focus groups - in both community relations and allowing the public a voice in the process.

With this in mind, we do intend a robust website, but also will need to tell people about it via advertising and well placed direct contact items like flyers. We could in theory discuss direct mail and local TV advertising, but we believe we can generate enough interest without spending a substantial amount. 689 Design can handle any of these scenarios should we choose to expand our efforts.

## 5.1 Category 4 - Product Regulation

Frank Miller and David Malone are partners at Miller Malone & Tellefson (MM&T), a boutique law firm specializing in governmental law. The firm has two distinct divisions: Legal and Regulatory Services and Government Affairs. The Legal and Regulatory Services division focuses on beverage, gaming, tobacco, insurance and general regulatory law. The Government Affairs division focuses on lobbying at the state level. MM&T represents a variety of domestic and international clients before state agencies in Washington State and other jurisdictions. Legal services include licensing, administrative law and regulatory compliance, researching and drafting legal opinions, advising corporate boards and tribal governments, reviewing and drafting gaming codes/ordinances, development of regulatory and licensing programs and proceedings, and negotiating with state and federal agencies.

## 5.2 Experience

I refer you to Frank Miller & David Malone's biography in Section 1.7

## 5.3 Team Assignments

( Team qualifications provided in Section 1 )

Frank Miller & David Malone - Legal

## 5.4 Approach & Methodology

Our team process is designed to provide David and Frank with the best and most current research possible from field to consumption. This will provide the basis for assisting the WSLCB in developing rules and a regulation strategy for the state of Washington's new Marijuana System.

With this information David and Frank will use their vast experience in regulatory law to help the WSLCB provide regulation written in clear language that accurately serves intended purpose and fits within the framework of Washington State Law.

Our process will focus on open communication within our group and with the WSLCB. David and Frank have a history of working with the WSLCB and are confident in their ability to assist with rules and a strategy for regulation that will satisfy the requirements of this proposal, and will be able to consult with the WSLCB and our strategy team on all areas of the proposal for the duration of the contract.

## 6.1 Budget

This broken down by firm to show you where your money is being spent and then broken into a proposed payment plan. Most of our work is in 2013, so we have focused billing there. WE are glad to create less payments or alternate options should you desire. For 2014 we have proposed monthly rates along with the option to reduce those rates if less service is required.

**Adam Cagle** - I have elected to work pro bono on this to improve our standings in the bid process. My time is typically billed at \$250 per hour and I would estimate I am to spend 40 - 80 hours a month on this project in 2013 and then consult as needed in 2014. I am doing this not only because I believe in it, but also I intend to use a firm I own half of, 689 Design, to generate much of the online and design work along with the statistical evaluations. My goal is simple, make this process as smooth, efficient, and eventually very profitable for the State of Washington so that I as a consultant can reap the benefits of this kind of experience in a brand new marketplace.

**689 Design** - 689 Design will perform project based work. I have line itemed the proposal based on the scope of work I am suggesting. The numbers will not change unless the scope changes. Not only is 689 Design quoting everything at a 50% rate, but since I am an owner and the Managing Director they will work harder and faster for us than any other design firm and there will be no communication or synergy issues between us.

### **Website - \$35,000**

- Content conveying intention and steps of this process to users
- User Login Area
- Forums for conducting topical discussion
- Surveys and Polls
- User Tracking by IP
- Analytical information



**Website Promotion - \$15,000**

- Print Advertising to promote the site
- Banner Advertising to promote the site
- Promotional Items

This does not include media buying, printing or outsourcing required to complete the projects

**Label Design - \$10,000**

This process will be time intensive, as it will include discussion with MMT and WSLCB, creating sets of comps, an internal approval process, and then posting the final or finalists to the web for community review. Based on those results 689 Design will provide sample labels and a detailed breakdown of the design, fonts, colors, and any other direction required to create acceptable labels under the new legal standard.

**Statistics Tracking - \$5,000**

- License stat packages for the site
- Track Data
- Provide monthly reports on the Data

**Site and Forum Moderation - \$5,000 per month**

**Legal Team**

Miller, Malone, Tellefson - MMT has offered a discount to \$250 per hour and/or agreed to a flat rate of 40 hours per month at \$10,000. I feel these rates are extremely favorable, and they can run through 2014 or as long as it takes to complete their work. They will require we use at least 10 months. This is simply the right law firm for this job.

**Flexible Outside Costs**

**Travel Expenses - \$10,000**

Travel Between Washington, California and any other states that have medical marijuana that may require direct contact. I do not intend to travel unnecessarily but for the first few months of the contract I will be putting in the field to speak with growers and dispensaries in person especially in Washington State. I am glad to take advantage of any pre-negotiate state rates for accommodations or rental cars if available. I will record travel expenses and bill them as they are completed with a cap of \$10,000 that can be raised should the WSLCB require more travel.

**Media Purchases - \$30,000- \$100,000**

This is based on the Seattle Times rate card along with several smaller publications and printing direct mail. This is the most flexible number in this proposal. We can scale beyond this budget and purchase television, we can scale down and advertise less. The requirement here is to drive a large enough sample size to the site in order to garner accurate statistics. I intend to use at least \$10,000 on Public Relations in an attempt to let the press help us gather an audience. Should my team and I be selected we would get very specific with our media budget and pair down or increase accordingly.

<b>Core Proposal Costs:</b>	<b>Flat Fee</b>	<b>Monthly</b>
Adam R. Cagle	\$0	
689 Design	\$65,000	\$5,000
MMT Law Firm		\$10,000

**Proposed Fee Schedule:**

March 1st	\$60,000
April	\$15,000
May	\$15,000
June	\$35,000
July	\$15,000
August	\$15,000
September	\$15,000
October	\$15,000
November	\$15,000
December	\$15,000

Since the WSLCB is given until December 1, 2013 to finalize rules to implement all requirements of I-502 we have focused our budget and efforts into delivering research and reports in the early part of the contract, and provide consistent council and reporting beyond that for \$15,000 per month.

**Flexible Outside Costs**

**Travel \$10,000**

**Media \$30,000 - \$100,000**

These costs will bill as funds are needed. Travel can be billed once the trip is completed. All media needs to be paid upfront at the time the spots are booked.

## 7.1 Conclusion

There are many approaches to the task at hand, In this proposal I have given you our best thinking as to process and procedure based on the knowledge at hand as a framework for how I believe we should proceed. I don't claim to have solved the entire project in the proposal, but I am very confident in our team and each individuals ability to excel at the tasks they have taken responsibility for. I believe we have demonstrated knowledge in excess of the requirements and provide excellent references and recommendations to assure the WSLCB that this team is every bit as good as we claim to be. If selected we look forward to refining our thinking further with you and exceeding your expectations in this process.

## Appendix A - Required Documents

## PROPOSER INFORMATION

**Proposer Profile:**

Firm Name Adam R. Cagle / 689 Design  
 Street Address 7927 Mustang Loop Rd  
 City, State, Zip Park City, UT 84098  
 Federal Tax ID Number PersonallInfo  
 UBI \_\_\_\_\_  
 Website URL 689design.com

**Proposer Authorized Representative:**

Proposer must designate an Authorized Representative who will be the principal point of contact for the WSLCB Contract Administrator for the duration of this RFP process. Proposer's Authorized Representative will serve as the focal point for business matters and administrative activities.

Representative Name: Adam R. Cagle  
 Telephone: 562-290-2889  
 Email: adam@689design.com

**Payment Options:**

YES  NO Do you offer a Prompt Payment Discount? If yes, please provide below.

Prompt Payment Discount \_\_\_\_\_ % \_\_\_\_\_ days, net 30 days.

YES  NO Will you accept the State's Purchasing Card (P-Card)?

YES  NO Will you accept Electronic Funds Transfer (EFT)?

**Categories of Service:**

Proposer must designate the Category(ies) of service for which this Response applies. Please check the appropriate box(es) below:

Category	Description	Response Applies this Category
All	<u>ALL</u> Categories (1-4) listed below	<input checked="" type="checkbox"/>
1	Product and Industry Knowledge	<input checked="" type="checkbox"/>
2	Product Quality Standards and Testing	<input checked="" type="checkbox"/>
3	Product Usage and Consumption Validation	<input checked="" type="checkbox"/>
4	Product Regulation	<input checked="" type="checkbox"/>

## SUBCONTRACTOR INFORMATION

**Check the applicable box:**

Yes  No Your firm intends on utilizing subcontractors to fulfill the service requirements outlined in RFP K430, Initiative 502 Consulting Services.

Contractor will be required to perform all work under this contract using his/her own employees carried on payroll or by using approved subcontractors. Where subcontractors are used in the performance of the contract, proposers will indicate as required with their response to seek approval. Contractor will be held responsible for all work performed or not performed by the subcontractor(s). Subcontractors will be required to bill through the Contractor.

If revisions are required in the subcontract assignment, new parties are to be proposed in advance of assignment, in writing to the WSLCB and the Contract Administrator.

All subcontractors are to submit a letter on company letterhead indicating the contract has been read, the standard terms and conditions reviewed and agreeing to all requirements presented. The subcontractors shall be required to meet all requirements established for Contractor staff.

If applicable, Proposer shall identify below all subcontractors who will perform services in fulfillment of contract requirements, including their name, the nature of services to be performed, address, telephone, facsimile, email, federal tax identification number (TIN), Washington State Uniform Business Identifier (UBI), and expected work to be performed of each subcontract:

<p><b>Subcontractor 1 MMT Law</b></p> <p>Name: <u>Frank Miller &amp; David Malone</u></p> <p>Services: <u>Legal</u></p> <p>Address: <u>3110 Euston Way #E</u></p> <p>Telephone: <u>253-759-9545</u></p> <p>Email: <u>Frank.M@mmtlawfirm.com</u></p> <p>Fed ID: <u>PersonalInfo</u></p> <p>UBI: <u>601-838-126</u></p> <p>Work to be Performed: <u>Consulting, Developing Rules &amp; Regulation Strategy</u></p> <p>OMWBE certified: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><b>Subcontractor 2</b></p> <p>Name: <u>689 Design</u></p> <p>Services: <u>Strategy - marketing - Design</u></p> <p>Address: <u>7923 Mustang Loop Rd</u></p> <p>Telephone: <u>562-366-1737</u></p> <p>Email: <u>adam@689design.com</u></p> <p>Fed ID: <u>PersonalInfo</u></p> <p>UBI: _____</p> <p>Work to be Performed: <u>Date collection, Design Strategy</u></p> <p>OMWBE certified: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>Subcontractor 3</b></p> <p>Name: _____</p> <p>Services: _____</p> <p>Address: _____</p> <p>Telephone: _____</p> <p>Email: _____</p> <p>Fed ID: _____</p> <p>UBI: _____</p> <p>Work to be Performed: _____</p> <p>OMWBE certified: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p><b>Subcontractor 4</b></p> <p>Name: _____</p> <p>Services: _____</p> <p>Address: _____</p> <p>Telephone: _____</p> <p>Email: _____</p> <p>Fed ID: _____</p> <p>UBI: _____</p> <p>Work to be Performed: _____</p> <p>OMWBE certified: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

## COST PROPOSAL

The evaluation process is designed to award this procurement not necessarily to the Proposer of least cost, but rather to the Proposer whose proposal best meets the requirements of this RFP. However, Proposers are encouraged to submit proposals which are consistent with State government efforts to conserve state and federal resources.

**Instructions to Proposer:** Proposer shall complete either Table 1 or Table 2 below by entering their Not-to-Exceed (NTE) Hourly Rate or Not-to-Exceed Daily rate for Initiative 502 Consulting Services. For the purposes of this RFP, one day shall consist of a total of eight (8) hours.

Proposer is instructed to be familiar with the Initiative 502 language when preparing their response. A link to the I-502 document is located in Appendix B of the RFP for Proposer's convenience.

**Table 1: Hourly Rate**

Description	NTE Hourly Rate
Not-to-Exceed (NTE) <b>Hourly</b> Rate for I-502 Consulting Services as stated in this RFP	\$ <u>250</u> p/hour

**Table 2: Daily Rate**

Description	NTE Daily Rate
Not-to-Exceed (NTE) <b>Daily</b> Rate for I-502 Consulting Services as stated in this RFP	\$ ____ p/day



**PROPOSER'S AUTHORIZED OFFER**

*(PROPOSAL SIGNATURE PAGE)*

**Initiative 502 Consulting Services -- RFP K430**

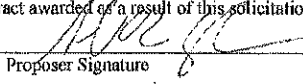
Issued by the Washington State Liquor Control Board

**Certifications and Assurances**

We make the following certifications and assurances as a required element of the Response, to which it is attached, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered. The prices in this Response have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single Proposal.
2. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by the Washington State Liquor Control Board (WSLCB) without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120 day period. In the case of protest, our Response will remain valid for 180 days or until the protest and any related court action is resolved, whichever is later.
3. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this Response. Any exceptions to these assurances are to be described in full detail on a separate page and attached to the Proposer's Response.
4. We understand that the Washington State Liquor Control Board (WSLCB) will not reimburse us for any costs incurred in the preparation of this Response. All Responses become the property of the WSLCB, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.
5. We understand that any Contract awarded, as a result of this RFP will incorporate all the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix B, [or substantially similar terms], if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix B of this solicitation.
6. We (circle one) are / are not submitting proposed Contract exceptions.
7. The authorized signatory below acknowledges having read and understood the entire solicitation and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Proposal.
8. By submitting this Proposal, Proposer hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.
9. Proposer has read and understands the requirements of the WSLCB set forth in and pertaining to Initiative 502.

The signatory below represents that he/she has the authority to bind the company named below to the Proposal submitted and any contract awarded as a result of this solicitation.

  
\_\_\_\_\_  
Proposer Signature  
  
\_\_\_\_\_  
Title  
*Partner*

*689 Design*  
\_\_\_\_\_  
Company Name  
  
*2-14-13*  
\_\_\_\_\_  
Date

# 689 DESIGN

BRANDING + CREATIVE + STRATEGY

Thursday, February 14, 2013

689 Design  
7927 Mustang Loop Road  
Park City, UT 84098  
562.366.1737  
[adam@689design.com](mailto:adam@689design.com)  
[689design.com](http://689design.com)

WSLCB Headquarters Building  
3000 Pacific Ave. S.E.  
Olympia, WA 98501

Dear Members of the Washington State Liquor Control Board,

As the other principal and Creative Director for 689 Design I have read and understand the contract, the standard terms and conditions, and agree to all requirements presented.

Sincerely,



Alexander "Zander" Vera,  
Partner and Creative Director, 689 Design

7927 Mustang Loop | Park City | Utah | 84098

[www.689DESIGN.com](http://www.689DESIGN.com)

# MILLER MALONE & TELLEFSON

3110 RUSTON WAY, SUITE F • TACOMA, WASHINGTON • 98402  
PHONE: 253-759-9595 • FAX: 253-759-9995

February 14, 2013

Adam R. Cagle  
689 DESIGN  
7927 Mustang Loop Road  
Park City, UT 84098

**RE: I-502 Consulting Services - K430 RFP**

Dear Mr. Cagle:

It was a pleasure speaking with you about the Washington State Liquor Control Board's Request for Proposal (K430).

As requested, the contract has been read, the standard terms and conditions reviewed, and we agree to the requirements as presented.

Thank you for your interest in our firm. We look forward to working with you in the future.

Sincerely,

**MILLER MALONE & TELLEFSON**



Dave Malone  
Attorney at Law

Appendix B - Letters of Reference



February 14, 2013

To Whom It May Concern:

My name is Mark Rosenthal and I am a principal and President of Raleigh Enterprises. I have worked with Adam Cagle and 689 for the past six years. Originally, Adam and his business partner began work with us to rebrand and redirect the marketing effort for our Sunset Marquis Hotel. In the intervening years, 689 Designs assumed responsibility for the branding and web-presence for a number of our companies, including Raleigh Studios, File Keepers, Rosenthal Malibu Estate Winery, and Raleigh Enterprises.

Throughout the six years I have worked directly with Adam, he has been straightforward and focused on achieving the desired results, irrespective of the personal effort required. The total billings of our accounts with 689 far exceeds the \$100,000 I understand you have budgeted for your project and I have no doubt that Adam is capable of investing these funds wisely to achieve the results you seek.

Adam is an enthusiastic proponent of the decriminalization or legalization of marijuana. It is a cause he believes in with all his heart and I believe the State of Washington would be well served in selecting him to lead this effort.

Very truly yours,

RALEGH ENTERPRISES

Mark A. Rosenthal  
President

RALEIGH ENTERPRISES • 100 WILSHIRE BOULEVARD • 8TH FLOOR • SANTA MONICA, CA 90401



7171 Southwest Parkway  
Austin, Texas  
78735  
Tel: 512-602-1000  
Fax: 512-602-0560  
[www.amd.com](http://www.amd.com)

To Whom It May Concern:

My name is Bob Grim, I am a Director of Sales at AMD (American Micro Devices). I first spoke to Adam Cagle when he called our Startup Company "Bigfoot Networks" almost a decade ago and told us his company wanted to be our ad agency. I was impressed as he found our name in a Fortune Magazine article about hot startups and was "excited" about our product. I explained that we were still a long way from that, but he kept in touch and we invited his agency from California along with three local Austin agencies to pitch for our business which was at the time about \$250,000 a year. I even cautioned him on coming all the way to Austin since we were very interested in a local agency, but he and his partner got on a plane and pitched in person anyway. They won the account and were our agency until the company was restructured for sale/investment a few years later. To put it simply, we loved their work.

Since I have been back at AMD I have brought Adam's company, 689 Design, in to work on as many jobs as possible. During all my dealings with Adam he has delivered on his promises, done great work, and consistently brought quality new ideas to the table. He has the ability to assemble and work with amazing teams to get results.

While I don't have experience in the subject matter you all are considering him for, when Adam explained the job at hand to me, with all my experience with people worldwide I could not think of anyone more perfectly suited to this task. Legalized Marijuana is a topic Adam has vocally believed in and supported for all my time knowing him and frankly if the State of Washington wants this done right he is the person that should be brought on to consult.

Thanks

Bob Grim  
(512) 797 7046  
[bob.grim@amd.com](mailto:bob.grim@amd.com)

**Norton, Melissa K**

---

**From:** Arthur Livermore <arthur@oregoncoastnews.tv>  
**Posted At:** Friday, February 15, 2013 1:31 PM  
**Conversation:** RFP- K430, American Alliance for Medical Cannabis  
**Subject:** RFP- K430, American Alliance for Medical Cannabis

Please see the attached file.

Thank you,

Arthur Livermore, National Director  
American Alliance for Medical Cannabis  
44500 Tide Avenue  
Arch Cape, OR 97102 USA  
503-436-1882

**RFP K430 SUBMITTAL DOCUMENT**

American Alliance for Medical Cannabis  
44500 Tide Avenue  
Arch Cape, OR 97102

Phone: 503-436-1882

Email: [national.director@letfreedomgrow.com](mailto:national.director@letfreedomgrow.com)



**PROPOSER'S AUTHORIZED OFFER**

**(PROPOSAL SIGNATURE PAGE)**

**Initiative 502 Consulting Services – RFP K430**

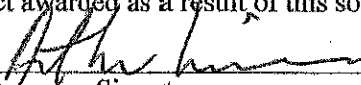
**Issued by the Washington State Liquor Control Board**

**Certifications and Assurances**

We make the following certifications and assurances as a required element of the Response, to which it is attached, affirm the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without, for the purpose of restricting competitor any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered. The prices in the Response have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single Proposal.
2. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by the Washington State Liquor Control Board (WSLCB) without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120 day period. In the event of protest, our Response will remain valid for 180 days or until the protest and any related court action is resolved whichever is later.
3. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have a financial interest in the outcome of this Response. Any exceptions to these assurances are to be described in full detail on a separate page and attached to the Proposer's Response.
4. We understand that the Washington State Liquor Control Board (WSLCB) will not reimburse us for any costs incurred in the preparation of this Response. All Responses become the property of the WSLCB, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.
5. We understand that any Contract awarded, as a result of this RFP will incorporate all the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix B, [or substantially similar terms], if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix B of this solicitation.
6. We (circle one) are / are not submitting proposed Contract exceptions.
7. The authorized signatory below acknowledges having read and understood the entire solicitation and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Proposal.
8. By submitting this Proposal, Proposer hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.
9. Proposer has read and understands the requirements of the WSLCB set forth in and pertaining to Initiative 502.

The signatory below represents that he/she has the authority to bind the company named below to the Proposal submitted and any contract awarded as a result of this solicitation.

  
 \_\_\_\_\_  
 Proposer Signature  
 \_\_\_\_\_  
 National Director  
 \_\_\_\_\_  
 Title

American Alliance for Medical Cannabis  
 \_\_\_\_\_  
 Company Name  
 \_\_\_\_\_  
 2-14-13  
 \_\_\_\_\_  
 Date

## PROPOSER INFORMATION

**Proposer Profile:**

Firm Name	American Alliance for Medical Cannabis
Street Address	44500 Tide Avenue
City, State, Zip	Arch Cape, OR 97102
Federal Tax ID Number	PersonallInfo
UBI	
Website URL	http://www.letfreedomgrow.com

**Proposer Authorized Representative:**

Proposer must designate an Authorized Representative who will be the principal point of contact for the WSLCB Contract Administrator for the duration of this RFP process. Proposer's Authorized Representative will serve as the focal point for business matters and administrative activities.

Representative Name:	Arthur Livermore
Telephone:	503-436-1882
Email:	national.director@letfreedomgrow.com

**Payment Options:**

YES  NO Do you offer a Prompt Payment Discount? If yes, please provide below.

Prompt Payment Discount \_\_\_\_\_ % \_\_\_\_\_ days, net 30 days.

YES  NO Will you accept the State's Purchasing Card (P-Card)?

YES  NO Will you accept Electronic Funds Transfer (EFT)?

**Categories of Service:**

Proposer must designate the Category(ies) of service for which this Response applies. Please check the appropriate box(es) below:

Category	Description	Response Applies this Category
All	<b><u>ALL</u></b> Categories (1-4) listed below	<input type="checkbox"/>
1	Product and Industry Knowledge	<input type="checkbox"/>
2	Product Quality Standards and Testing	<input type="checkbox"/>
3	Product Usage and Consumption Validation	<input checked="" type="checkbox"/>
4	Product Regulation	<input checked="" type="checkbox"/>

## SUBCONTRACTOR INFORMATION

**Check the applicable box:**

Yes  No Your firm intends on utilizing subcontractors to fulfill the service requirements outlined in RFP K430, Initiative 502 Consulting Services.

Contractor will be required to perform all work under this contract using his/her own employees carried on payroll or by using approved subcontractors. Where subcontractors are used in the performance of the contract, proposers will indicate as required with their response to seek approval. Contractor will be held responsible for all work performed or not performed by the subcontractor(s). Subcontractors will be required to bill through the Contractor.

If revisions are required in the subcontract assignment, new parties are to be proposed in advance of assignment, in writing to the WSLCB and the Contract Administrator.

All subcontractors are to submit a letter on company letterhead indicating the contract has been read, the standard terms and conditions reviewed and agreeing to all requirements presented. The subcontractors shall be required to meet all requirements established for Contractor staff.

If applicable, Proposer shall identify below all subcontractors who will perform services in fulfillment of contract requirements, including their name, the nature of services to be performed, address, telephone, facsimile, email, federal tax identification number (TIN), Washington State Uniform Business Identifier (UBI), and expected work to be performed of each subcontract:

**Subcontractor 1**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified: \_\_\_ Yes \_\_\_ No

**Subcontractor 2**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified: \_\_\_ Yes \_\_\_ No

**Subcontractor 3**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified: \_\_\_ Yes \_\_\_ No

**Subcontractor 4**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified: \_\_\_ Yes \_\_\_ No



**44500 Tide Avenue  
Arch Cape, OR 97102  
503-436-1882**

February 14, 2013

## **LETTER OF SUBMITTAL**

The American Alliance for Medical Cannabis (AAMC) is pleased to submit a proposal for consulting services to assist the Washington State Liquor Control Board with the implementation of the Washington State Initiative 502. AAMC is a non-profit organization registered in Oregon.

**Business address:**

American Alliance for Medical Cannabis  
44500 Tide Avenue  
Arch Cape, OR 97102

Phone: 503-436-1882

Email: [national.director@letfreedomgrow.com](mailto:national.director@letfreedomgrow.com)

**Officers:**

Arthur Livermore - President  
44500 Tide Avenue  
Arch Cape, OR 97102

Phone: 503-436-1882

Gina Livermore - Treasurer  
44500 Tide Avenue  
Arch Cape, OR 97102

Phone: 503-436-1882

Jim Freire – Secretary  
589 N 10th  
Coos Bay, OR 97420

Phone: 541-808-0101

Our offices are located at 44500 Tide Avenue, Arch Cape, OR 97102

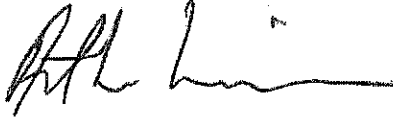
**We are responding to:**

Category 3: Product Usage and Consumption Validation

Category 4: Product Regulation

None of our employees have worked for Washington State.

Best wishes,

A handwritten signature in black ink, appearing to read "Arthur Livermore". The signature is fluid and cursive, with a long horizontal stroke at the end.

Arthur Livermore  
National Director  
American Alliance for Medical Cannabis  
national.director@letfreedomgrow.com  
<http://www.letfreedomgrow.com>

# NON-COST PROPOSAL

## CATEGORY 3 – PRODUCT USAGE AND CONSUMPTION VALIDATION

### 9. Ability, Capacity and Skills

Our staff has skills and resources needed to estimate usage and consumption of Cannabis in Washington State. Our research library includes studies of cannabis usage in medical treatment in countries all around the world. We have collected data about current usage of cannabis in States where medical use has been approved.

### 10. Experience

Our staff has worked on statistical research projects including educational testing data acquisition and analysis for the Woodcock-Johnson achievement tests. Our staff has worked with patients who use cannabis and helped them obtain quality medicine.

### 11. Staff Qualifications and Capabilities

Arthur Livermore – National Director

Bachelor of Arts in Biology from Reed College. He is an experienced research scientist with training in biology, medicine, statistical analysis, and computer programming. He has designed research projects for medical, biotech, and pharmaceutical industry clients, has implemented research protocols, collected data for analysis, and performed qualitative, quantitative and statistical analysis of data.

Bryan Krumm – New Mexico Director

Bachelor of Science in Nursing from the University of New Mexico. Master of Science in Nursing from New Mexico State University. Board Certified as Adult Psychiatric and Mental Health Nurse Practitioner

John Worthington – Washington State Director

He has worked on legal issues related to implementing Washington's medical marijuana law. He has collected data from each county to help patients understand the rules for growing and using cannabis in each area.

### 12. Approach and Methodology

In order to determine the current usage and consumption of Cannabis we will use population data from the 2010 census. Demographic data from each of the 39 Washington counties will be analyzed to identify age, ethnicity, income and other factors which influence the number of cannabis users. We will survey a representative sample of the population in each county and use that data to project cannabis consumption.

Based on the results of this survey we will project the annual volume of marijuana that will need to be produced. Using survey data and test plants, the yield per plant will be provided for both indoor and outdoor cultivation.

## CATEGORY 4 – PRODUCT REGULATION

### **13. Ability, Capacity and Skills**

Our Public Policy Consultant is experienced in operating under product regulations and also has a great deal of experience advising and drafting proposals to regulate products. We contract with qualified expert consultants to suit the needs of our consulting contracts.

Having been a pioneer in both hemp and medicinal cannabis industries for the past nineteen years, our Public Policy Consultant has demonstrated exceptional innovation in following as well as crafting system regulations, particularly when there is a conflict between State and Federal law, as is always the case with cannabis industries.

An example of his experience operating under challenging government processes is when he was an early pioneer in the Hemp Food industry and was challenged to offer high nutritional-quality hempseed oil. Because hempseed is illegal to grow in the United States and steam-sterilization of hempseed at import terminals is the primary method to comply with Federal regulations relating to the importation of hempseed, the nutritional value of all the available hempseed in the U.S. was severely compromised by the process. Because Federal regulations required that hempseed be *incapable of germination* without specifying the method to accomplish this, he and his business associates managed to succeed by having live hempseed pressed into oil and seedcake outside the United States, thereby rendering the seed *incapable of germination*. Thus, Federal regulations were met and nutritionally-superior hempseed oil became available for the first time in the United States.

He has since been very active in amending state and federal law to ease these unreasonable restrictions on non-psychoactive hemp products. Part of this effort resulted in Oregon's Industrial Hemp Act of 2009, which allows the Oregon Department of Agriculture to license and regulate hemp producers. Further experience in crafting system regulations are detailed in the following section.

### **14. Experience.**

Our Public Policy Consultant has thirteen years' experience advising the State of Oregon on administrative and legislative aspects of the Oregon Medical Marijuana Program (OMMP), has authored legislative proposals, and advised on the language of legislative measures and administrative rules.

He has served on the Oregon Health Authority's Advisory Committee on Medical Marijuana (ACMM) since its creation by the 2005 legislature. He has served as Chair of the ACMM and Chair of its Horticulture, Research & Safety Committee. In these roles, he has maintained working relationships with the State Public Health Officer, Administrator for the OHA's Center for Health Protection, OMMP Program Manager, OMMP staff, and the Assistant Attorney General who provides legal counsel to the OMMP.

The ACMM advises the Director of the Oregon Health Authority (OHA) on the administrative aspects of the OMMP and provides annual input on its fee structure. His duties on the ACMM include reviewing and analyzing: program registry statistics, financial reports, Law Enforcement Data System (LEDS) usage, OMMP Staff reports, Legal Counsel advice, State & Federal law, Oregon Administrative Rules, complaint reports, and public comments.

Examples of advice he and the ACMM provide to the Director of the Oregon Health Authority include:

- Policies & procedures for the disclosure of confidential registry data to law enforcement agencies, agency employees, and OMMP cardholders.
- Proposed fee structure and budget recommendations
- Administrative Rule changes to overhaul the process for adding new medical conditions to the list of debilitating medical conditions under the Oregon Medical Marijuana Act (OMMA)
- Research & data reporting
- Legislative concepts
- Cautionary Statement for Horticultural Products
- Program applications, information packets, and the OMMP Handbook

On two occasions he was appointed by the OHA Director to serve on administrative Rule Advisory Committees (RAC). The first RAC proposed a new fee structure in response to Senate Bill 5530, which charged the OMMP to meet the goal of generating \$7 million annually for other OHA programs, in addition to the OMMP's \$7 million budget, by increasing existing and creating new OMMP registration fees.

The most recent RAC he served on made recommendations for administrative rule changes to overhaul the process of adding new conditions to the list of debilitating medical conditions under the OMMA, with the goals of enhancing accountability, protecting against bias & conflict of interest



In addition to public policy consulting, our company also conducts horticultural research specializing in cannabis. Because state law provides no specific exceptions for cannabis research and because two of the three federal agencies (DEA & NIDA) in charge of issuing cannabis research permits limit the issuance of permits to scientists investigating the *harms* of cannabis, we're challenged to achieve even basic horticultural research goals. We have overcome this regulatory hurdle by designing a research protocol that is conducted by several research technicians who are state-licensed medical marijuana growers and operate in compliance with state medical marijuana laws. Because the usual size (acres) of research fields for studying any other type of crop far exceeds the threshold (100 plants) for DEA enforcement of cannabis crops, our experimental design involves several research technicians managing multiple research plots in sizes far below this threshold.

While strict compliance with state law is essential for operation of any enterprise involving cannabis, our company has also found it to be vitally important to stay well below thresholds for federal enforcement of cannabis laws, as described in the Ogden & Cole memos and similar guidelines.

Operating a business in *any* cannabis industry requires a depth of understanding of the confines of at least three layers of regulatory systems. Because the consequences of stepping slightly over the line can often amount to prison sentences, our company highly prioritizes strict regulatory compliance in our business practice, as well as the advice to our consulting clients. For advising state agencies on creating a regulatory system for a cannabis industry, we can certainly appreciate the importance of minimizing potential conflicts with federal regulatory agencies.

## **15. Staff Qualifications and Capabilities.**

### **Contract Consultants**

Our company hires contract consultants to meet the needs of our consulting contracts. We have working relationships with numerous highly-qualified public policy & science consultants specializing in cannabis. If the needs of the contract resulting from RFP K430 exceed the capabilities of the following employee, then we can easily hire qualified expert(s) to assist.

**Todd Dalotto**, Consulting Dept. Director

Todd's duties include executive oversight of all of the company's activities, legal compliance, hiring of contract consultants, and is our primary consultant for horticultural and public policy topics.

He has thirteen years' experience advising the State of Oregon on administrative and legislative aspects of the Oregon Medical Marijuana Program (OMMP), has authored legislative proposals, and advised on the language of legislative measures and administrative rules. Details of his qualifications and capabilities relevant to this potential contract are as follows:

## EDUCATION

**Honors Baccalaureate of Science in Horticultural Research** Magna Cum Laude, Oregon State University, Corvallis, Oregon

**Associate of Science, Botany** Lane Community College, Eugene, Oregon

**Environmental Science / Business Major** West Virginia University, Morgantown, WV

## WORK HISTORY

**President / Founder, Director of Consulting Dept.** [ company name omitted as per RFP requirements ]

- o Education & consulting services to businesses, individuals, and governments on horticulture, science, legislation, and public policy related to cannabis.
- o Horticultural research, specializing in cannabis

**Director** Cannabis Research Committee (PAC), Corvallis, Oregon

- o Drafting & support for legislative measures that allow cannabis research
- o Primary author of *The Oregon Medical Cannabis Research Act*

**Faculty Instructor** Umpqua Community College, Roseburg, Oregon

- o Created & taught course entitled, *Oregon Medical Marijuana Act*

**Executive Director / Founder** Compassion Center, Eugene, Oregon

- o Developed programs and standards for education, medical clinic services, and support services.

**Owner** Hungry Bear Hemp Foods, Eugene, Oregon

- o Founder of the United States' first hemp food business
- o Conducted research & development of hemp food and processing

## OTHER EXPERIENCE

**Chair, Advisory Committee On Medical Marijuana (ACMM)** Oregon Health Authority

- o Appointed by the Director of the Oregon Health Authority to provide advice on the administrative aspects of the OMMP and provide annual input on its fee structure.

**Chair, Horticulture, Research & Safety Committee** Oregon Health Authority ACMM

**Rules Advisory Committees** Oregon Health Authority / Oregon Medical Marijuana Program

- o The 2011 RAC crafted a proposed OMMP fee structure for a \$14 million budget, as required by the 2011 Oregon Legislature
- o The 2012 RAC advised the OHA on administrative rule language to overhaul the process for adding new medical conditions to the OMMP

**Legislative Advisory Committee** DHS / Oregon Medical Marijuana Program, 2003 to 2005

- o Appointed by the Director of the Department of Human Services at the request of the legislature to develop an omnibus legislative proposal to make substantial changes to the Oregon Medical Marijuana Act

**Expert Witness** qualified in Oregon State & Federal Courts to testify about cannabis horticulture, botany, processing, public policy, Oregon Medical Marijuana Program administration, and other cannabis-related topics.

**Author, *The Hemp Cookbook: From Seed to Shining Seed***, Healing Arts Press, Rochester, Vt.,

*RFP K430 Submittal Document*

**TRAINING:**

**Board & Committee Training** Governor's Office, State of Oregon

**Nonprofit Management** Lane Community College Business Development Center, Eugene, Oregon

**Farm Safety Training** Oregon State University

**SKILLS**

**Horticultural research:** Experimental design, plant evaluation, field data collection, pollination, grafting, vegetative propagation, disease inoculation, photomicroscopy, sustainable logging, data presentation, greenhouse management

**Computer:** SAS, ChemStation, Minitab, Access, Excel, PowerPoint, QuickBooks, PhotoShop, Premiere

**Business:** Personnel & office management, nonprofit management, presentations, legislative drafting, modern cannabis supply systems

**16. Approach and Methodology.**

Our primary consultant is highly accustomed to drafting and advising on legislation, administrative rules, bylaws, and policies & procedures. His experience serving on rules advisory committees, legislative advisory committees, and administrative advisory committees, along with his vast experience in many sectors of cannabis industries, will be very helpful in analyzing input from the public, stakeholders, and experts.

As a cannabis industry consultant, he has a depth of understanding of the needs of cannabis businesses in order to operate safely, responsibly and with a positive impact in the larger community. This level of competence in both the industry and rulemaking will be a great contribution towards translating these dynamics into a regulation strategy and part of the Washington Administrative Code.

As a horticultural scientist specializing in cannabis, he has the aptitude for crafting a regulatory system for the production of cannabis that is consistent with the realities of agriculture, while minimizing the impact of the larger community.

His approach and methodology to developing rules in the context of Washington's Administrative Procedure is detailed as follows:

**Review applicable Statutes.** A careful review of the Washington Administrative Procedure act, as well as the language and legislative intent of I-502 is necessary to assure the promulgation of administrative rules meets the standards of due process, transparency, and public participation, and that the rules themselves are within statutory authority and are consistent with legislative intent. It would be very unlikely that expedited or emergency rulemaking would be necessary or appropriate. Since the rulemaking process has already begun in December 2012, I anticipate much of this has already been done.

**Pre-Notice Inquiry.** The Washington State Liquor Control Board has filed notices (CR 101, 102 & 103) with the Office of the Code Reviser that we are considering a rule adoption for the implementation of I-502, which has been published in the Washington State Register and distributed to interested parties and stakeholders. All those who have attended the I-502 public forums or subscribed to email notifications would be included in the notice. This Request for Proposals K430 is part of this process.

**Proposed New Rule Language.** Input from the public, stakeholders, experts, and other state agencies, including testimony that has already been gathered from the public forums in early 2013. Language will be drafted with great consideration for this evidence, as well as the statutory authority and legislative intent of I-502. A *Small Business Economic Impact Statement* would likely be necessary since a new industry of cannabis growers, processors, and retailers will be created.

**Publish Notice of Proposed Rulemaking and Hold Public Hearing on Proposed Rule.** Notice will be published in the Register and distributed to interested parties and public hearings will be held in at least three parts of Washington. Written testimony as well as producer, processor, and Retailer license applications can also be submitted to the agency during the public comment period. We will consider all the submitted testimony and revise the proposed rule if necessary. If substantial changes are made, then a second draft of proposed rule and additional public hearings may be necessary. A *concise explanatory statement* shall be prepared to summarize the WSLCB's reason for adopting the rule, public comments, and the WSLCB's responses to those comments.

**Final Adoption of the Rule.** If only minor changes or no are made to the proposed rule, then final adoption will move forward by filing the adopted rule along with the Rulemaking Order and the effective date. There are three separate rules being promulgated with slightly different times, thus all should be adopted by August 31, 2013.

## COST PROPOSAL

**Table 1: Hourly Rate**

Description	NTE Hourly Rate
Not-to-Exceed (NTE) <b>Hourly</b> Rate for I-502 Consulting Services as stated in this RFP	\$ 60.00 p/hour

**Norton, Melissa K**

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**From:** djhartman2371@comcast.net  
**Posted At:** Friday, February 15, 2013 1:12 PM  
**Conversation:** RFP - K430. Angel Fire Strategies  
**Subject:** RFP - K430. Angel Fire Strategies



## Angel Fire Strategies

6547 North Academy Boulevard, Suite 545  
Colorado Springs, Colorado 80918  
303.888.8134

March 12, 2013

Washington State Liquor Control Board  
PO Box 43090  
Olympia, WA 98504

Sent Via Email: [icbbids@liq.wa.gov](mailto:icbbids@liq.wa.gov)

Dear Sir or Madam:

Angel Fire Strategies is the Colorado-based company which assists government and private industry by providing functional and technical consulting services focused solely on the cannabis industry. We are pleased to present our proposal to the Washington State Liquor Control Board in response to RFP K430 for cannabis consulting services to assist with the implementation of Initiative 502.

Angel Fire Strategies is just one part of Angel Fire Strategic Group, a global company that is a leader in providing responsible solutions that promote regulated cannabis use, whether medicinal or recreational. We are committed to the realization of an industry that is responsibly monitored and regulated, thereby encouraging scientific investigation and medical studies of the effects of cannabis in recreational use and as a medical treatment. Among our goals is to inform leaders on the economic potential of tax revenue from this legitimate industry and of the potential gains from development of effective cannabis-based health care solutions. The Group will assist the Washington State Liquor Control Board in building and promoting systems supported by proper regulations and monitoring to provide the necessary guardrails to guide a new, emerging industry. Angel Fire Strategic Group covers every aspect of the cannabis industry and seeks to change unfavorable perceptions of the industry through responsible, regulated, proven methods of education and innovation.

Angel Fire Strategies is staffed with professionals who have pioneered this industry. Internally, we cover the vast knowledge base you require. Regulators have called our experts in the area of cannabis product and industry the model of compliance and authorities in their field. Our team includes chemists and physicians that lead the way in safety and efficacy, and who are routinely sought after as subject matter experts. Additionally, the team has leadership who has been involved from the onset of the statutory and regulatory model developed in Colorado. Working with legislators, law enforcement, and industry and community leaders, I participated in all phases of crafting the laws and regulations that have held up as the working model for this industry. I implemented the framework for Colorado's regulatory agency with strong enforcement components to track and monitor cannabis from "seed to sale". In addition to the team members at Angel Fire Strategies, we have a strong strategic partner that is an international firm and industry leader in research and data collection, and the meaningful use of that information.

While Angel Fire Strategies has a vast knowledge of all aspects of this industry and its regulation, we pride ourselves on listening and crafting solutions to fit our client's needs while not forgetting the political and emotional environment that surrounds this project.

Sincerely,

Dan Hartman  
President

Company name: Angel Fire Strategies  
Address: 6547 North Academy Boulevard, Suite 545  
Colorado Springs, Colorado 80918  
  
Phone: 303.888.8134  
Fax: 303.759.3641  
Email: [djhartman2371@comcast.net](mailto:djhartman2371@comcast.net)

Dan Hartman  
President  
2371 South Elm Drive  
Denver, CO 80222  
303-888-8134

Josh Stanley  
Vice President  
200 sawdust court  
Evergreen CO 80439  
720.237.4504

Joel Stanley  
Treasurer  
401 Tamarron Drive  
Colorado Springs CO 80919  
817.565.7004

**Sub-Contractor**

Company name: RBI Strategies & Research  
Address: 1900 Grant Street, Suite 1170  
Denver, Colorado 80203  
  
Phone: 303.832.2444  
Fax: 303.832-2555

Rick Ridder  
President  
1900 Grant Street, Suite 1170  
Denver, Colorado 80203  
303.832.2444

Joannie Braden  
Vice President  
1900 Grant Street, Suite 1170  
Denver, Colorado 80203  
303.832.2444

Craig Hughes  
Managing Director  
1900 Grant Street, Suite 1170  
Denver, Colorado 80203  
303.832.2444



Company will operate from:

Company name: Angel Fire Strategies  
Address: 6547 North Academy Boulevard, Suite 545  
Colorado Springs, Colorado 80918

In this proposal Angel Fire Strategies is responding to all 4 (four) categories:

- Category 1:** Product & Industry Knowledge
- Category 2:** Product Quality Standards & Testing
- Category 3:** Product Usage & Consumption Validation
- Category 4:** Product Regulation

Angel Fire Strategies and it's subcontractor have no current or former Washington State employees employed or on the firms governing board at the time of the proposal.

**PROPOSER'S AUTHORIZED OFFER**

**(PROPOSAL SIGNATURE PAGE)**

**Initiative 502 Consulting Services – RFP K430**

Issued by the Washington State Liquor Control Board

**Certifications and Assurances**

We make the following certifications and assurances as a required element of the Response, to which it is attached, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered. The prices in this Response have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single Proposal.
2. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by the Washington State Liquor Control Board (WSLCB) without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120 day period. In the case of protest, our Response will remain valid for 180 days or until the protest and any related court action is resolved, whichever is later.
3. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this Response. Any exceptions to these assurances are to be described in full detail on a separate page and attached to the Proposer's Response.
4. We understand that the Washington State Liquor Control Board (WSLCB) will not reimburse us for any costs incurred in the preparation of this Response. All Responses become the property of the WSLCB, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.
5. We understand that any Contract awarded, as a result of this RFP will incorporate all the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix B, [or substantially similar terms], if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix B of this solicitation.
6. We (circle one) are / are not submitting proposed Contract exceptions.
7. The authorized signatory below acknowledges having read and understood the entire solicitation and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Proposal.
8. By submitting this Proposal, Proposer hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.
9. Proposer has read and understands the requirements of the WSLCB set forth in and pertaining to Initiative 502.

The signatory below represents that he/she has the authority to bind the company named below to the Proposal submitted and any contract awarded as a result of this solicitation.

Daniel J. Hartman  
 \_\_\_\_\_  
 Proposer Signature  
 President  
 \_\_\_\_\_  
 Title

Angel Fire Strategies, LLC  
 \_\_\_\_\_  
 Company Name  
 02/15/2013  
 \_\_\_\_\_  
 Date

## PROPOSER INFORMATION

**Proposer Profile:**

Firm Name	Angel Fire Strategies, LLC
Street Address	6547 North Academy Boulevard, Suite 545
City, State, Zip	Colorado Springs, CO 80918
Federal Tax ID Number	PersonallInfo
UBI	
Website URL	

**Proposer Authorized Representative:**

Proposer must designate an Authorized Representative who will be the principal point of contact for the WSLCB Contract Administrator for the duration of this RFP process. Proposer's Authorized Representative will serve as the focal point for business matters and administrative activities.

Representative Name:	Dan Hartman
Telephone:	303-888-8134
Email:	djhartman2371@comcast.net

**Payment Options:**

YES  NO Do you offer a Prompt Payment Discount? If yes, please provide below.

Prompt Payment Discount 2 %, 10 days, net 30 days.

YES  NO Will you accept the State's Purchasing Card (P-Card)?

YES  NO Will you accept Electronic Funds Transfer (EFT)?

**Categories of Service:**

Proposer must designate the Category(ies) of service for which this Response applies. Please check the appropriate box(es) below:

Category	Description	Response Applies this Category
All	<b><u>ALL</u></b> Categories (1-4) listed below	<input checked="" type="checkbox"/>
1	Product and Industry Knowledge	<input type="checkbox"/>
2	Product Quality Standards and Testing	<input type="checkbox"/>
3	Product Usage and Consumption Validation	<input type="checkbox"/>
4	Product Regulation	<input type="checkbox"/>

## SUBCONTRACTOR INFORMATION

**Check the applicable box:**

Yes  No Your firm intends on utilizing subcontractors to fulfill the service requirements outlined in RFP K430, Initiative 502 Consulting Services.

Contractor will be required to perform all work under this contract using his/her own employees carried on payroll or by using approved subcontractors. Where subcontractors are used in the performance of the contract, proposers will indicate as required with their response to seek approval. Contractor will be held responsible for all work performed or not performed by the subcontractor(s). Subcontractors will be required to bill through the Contractor.

If revisions are required in the subcontract assignment, new parties are to be proposed in advance of assignment, in writing to the WSLCB and the Contract Administrator.

All subcontractors are to submit a letter on company letterhead indicating the contract has been read, the standard terms and conditions reviewed and agreeing to all requirements presented. The subcontractors shall be required to meet all requirements established for Contractor staff.

If applicable, Proposer shall identify below all subcontractors who will perform services in fulfillment of contract requirements, including their name, the nature of services to be performed, address, telephone, facsimile, email, federal tax identification number (TIN), Washington State Uniform Business Identifier (UBI), and expected work to be performed of each subcontract:

**Subcontractor 1**

Name: RBI Strategies & Research  
 Services: Research, demographics  
 Address: 1900 Grant St suite 1170  
Denver CO 80203  
 Telephone: 303.832.2444  
 Email: rick@rbistrategies.com  
 Fed ID: PersonallInfo  
 UBI: \_\_\_\_\_  
 Work to be Sub-contractor  
 Performed: Category 3  
 OMWBE certified:  Yes  No

**Subcontractor 2**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be \_\_\_\_\_  
 Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No

**Subcontractor 3**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be \_\_\_\_\_  
 Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No

**Subcontractor 4**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be \_\_\_\_\_  
 Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No

## COST PROPOSAL

The evaluation process is designed to award this procurement not necessarily to the Proposer of least cost, but rather to the Proposer whose proposal best meets the requirements of this RFP. However, Proposers are encouraged to submit proposals which are consistent with State government efforts to conserve state and federal resources.

**Instructions to Proposer:** Proposer shall complete either Table 1 or Table 2 below by entering their Not-to-Exceed (NTE) Hourly Rate or Not-to-Exceed Daily rate for Initiative 502 Consulting Services. For the purposes of this RFP, one day shall consist of a total of eight (8) hours.

Proposer is instructed to be familiar with the Initiative 502 language when preparing their response. A link to the I-502 document is located in Appendix B of the RFP for Proposer's convenience.

**Table 1: Hourly Rate**

Description	NTE Hourly Rate
Not-to-Exceed (NTE) <u>Hourly</u> Rate for I-502 Consulting Services as stated in this RFP	\$ 1850.00 p/hour

**Table 2: Daily Rate**

Description	NTE Daily Rate
Not-to-Exceed (NTE) <u>Daily</u> Rate for I-502 Consulting Services as stated in this RFP	\$ _____ p/day



RBI Strategies  
& Research

**To: Dan Hartman of Angel Fire Strategies**

**From: Rick Ridder and Joannie Braden**

**Re: RFP**

**Date: 2/14/2013**

Dan,

RBI has read the contract from WSLCB and Angle Fire Strategies. We have reviewed and agree with the standard terms and conditions therein.

Joannie Braden

Rick Ridder

## NON-COST PROPOSAL

Please refrain from using company name or other information that will identify your company while preparing your response for the Non-Cost Submittal. The Washington State Liquor Control Board (WSLCB) reserves the right to modify proposals in order to eliminate company names or any other information that may identify a specific company brand.

### CATEGORY 1 – PRODUCT AND INDUSTRY KNOWLEDGE

Please answer the questions listed below, attaching additional pages as necessary:

1. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, skills and/or other expertise in Product and Industry Knowledge, including but not limited to the following:
    - a. How Marijuana and/or Agricultural products are grown, cultivated, harvested, cured, and processed
    - b. How Marijuana is infused into food and beverages
    - c. How Marijuana should be packaged, labeled, transported, and sold at retail level
    - d. How wholesale and retail Product should be recalled and accounted for
    - e. How Marijuana should be destroyed if overproduced, contaminated, or recalled
- A. Cultivation
- a. Currently operating 17,000 square feet of greenhouse space and 10,000 square feet of indoor commercial warehouse space.
  - b. Have built all cultivation facilities and engineered environmental controls for each, creating an extensive knowledge of important factors such as: utility requirements, water consumption, proper waste disposal, and overall costs associated with the daily operation of such facilities.
  - c. Currently cultivating more than 150 strains of cannabis, including hemp and other non-psychoactive varieties. Many of the strains have been bred by the Stanley's for desired growth properties or specific cannabinoid content.
  - d. Experienced in all widely used horticulture methods, including: hydroponic, organic soil, and drip irrigation systems. Extensive knowledge of safe pest and mold control.
- B. Concentrates and Infused Products
- a. Experienced in the proper methods for every extraction and concentration technique, including an extensive knowledge of the safety and health hazards associated with each one.
  - b. Currently operating a commercial kitchen and lab for infused products. This facility is used for lab testing products, and for the creation of infused drinks, candies, baked goods, cooking oils, and topical lotions.
  - c. The only entity in Colorado offering custom medications based upon milligram dosages of specific cannabinoids for many medical conditions,

including: Migraines, Chron's Disease, MS, AIDS/HIV, Parkinsons, Cancer, and Epilepsy.

C. Harvesting, Storage, and Processing

- a. Experienced and proficient in management of all processes: drying, curing, trimming, and safe storage.
- b. Developed accurate and compliant systems for tracking of all inventory, including: live plant, flower, trim, and waste byproducts.
- c. Currently operating five retail centers, lending to valuable experience with:
  - i. Necessary requirements for efficient "Point of Sale" software
  - ii. Security requirements for a safe and protected store front
  - iii. Proper means of storage for each category of product
  - iv. Proper labeling and child safe packaging
  - v. Training of personnel for professional and compliant conduct, as well as procedures for accurate tracking of product

D. At the wholesale and retail level all marijuana is tagged and tracked in a database in all phases of growth, processing, transport and retail. In this way control is maintained for accounting to avoid diversion. Location and quantity is tracked to allow for immediate identification and location of out of date or recalled product.

E. Regulations in place to render overproduced, contaminated or recalled product useless by mixing with organic material and storing in locked containers until removed or composted.

2. **Experience.** In two (2) pages or less, please describe your firm's experience in Product and Industry Knowledge as it relates to Marijuana.

The Stanley brothers represent a division of the team which is integral to defining the key components of successful and efficient production, processing, and distribution of medical cannabis. The Stanley Brothers have been in the medical marijuana industry for over 5 years starting small and grew as the industry emerged and began to treat the expanding patient numbers. Together, the Stanley family currently owns five medical marijuana center and cultivation licenses, two cultivation premises, one infused products lab, and a non-profit organization dedicated to observational research. The combined experiences and backgrounds of each brother have enabled their organizations to excel in the Colorado market. They have developed a reputation in the state for setting a standard of excellence and compliance within the industry. The unique combination of skills and experience of this team offers a valuable resource for businesses and governing bodies of this new industry. Developing professional, profitable, and compliant organizations in such a highly regulated industry has created valuable insights within the group. In the last five years, the Stanleys have seen all of the "do's and don'ts" for each category of this commodity. They have also witnessed, firsthand, the enforceable and efficient regulations, alongside the regulations that still need to be fine tuned; lending credibility to



their input for rules and regulations which will not only allow for accurate tracking and taxability, but also help to create a model which will withstand a cost benefit analysis.

3. **Team Structure and Internal Controls.** In two (2) pages or less, please describe the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors. Please define how the firm will establish lines of authority for personnel who might be involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm.

The project manager has the overall responsibility for the planning and execution of the project. The role of the project manager encompasses many activities including but not necessarily limited to:

- Planning and Defining Scope
- Activity Planning and Sequencing
- Resource Planning
- Developing Schedules
- Time Estimating
- Cost Estimating
- Developing Budget
- Controlling Quality
- Managing Risks and Issues
- Creating Charts and Schedules
- Documentation
- Team Leadership
- Strategic Influencing
- Liaison and first line of contact

The project manager's primary responsibility is to create an environment where these issues can be mitigated. It is our experience and practice that a good project manager can reduce program risk significantly. By utilizing open communication and ensuring that all stake holders have an opportunity to express opinions and concerns we can reduce delays and avoid costly misunderstandings. The project manager will have an ongoing open dialog with the WSLCB's defined project lead at regular scheduled times. Internal and external communication is essential and it will be the role of the project manager to understand clearly the needs of each category and the expected deliverable. Depending on the scope of the project to match the proper team member with the task and match it with needed expertise. By coordinating with the WSLCB the firm will seek to optimize time with staff to maximize intellectual exchange while being mindful of schedules and costs. This will also allow us to allocate support staff to where it is needed. The initial program manager on this project will be a senior management team member, changes to that will be made only after discussions with the WSLCB have taken place. At this time this project would be our only program therefore senior management will be focused on its success. Other staff may have limited

time availability but with proper and timely communication we will have the needed assets for all stages of the project.

4. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

## Dan Hartman

### President

Dan Hartman is currently working on the overall management of the company and spends a majority of his time with that. However, his availability will be focused on this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract and at least initially if not for the length of the contract be the designated project manager.

Having worked for the Colorado Department of Revenue (DOR) in regulatory enforcement for over twenty-one years, Dan brought a strong regulatory background to the Medical Marijuana Enforcement Division. Colorado was the first state to begin regulation of this newly legalized industry, which put him at the forefront of one of our nation's more controversial issues. Aware of the intense level of scrutiny in which this placed him, Dan did not change his approach to regulation – maintaining his focus on education and bringing members of the industry into compliance with unambiguous and fair regulation that protects the public and legitimizes industry business practices. This was only one of the qualities that led Department management to involve Dan, from the beginning in December 2009, in the legislative process that created the Division, tasking him with building the Division and appointing him as the Division Director in January, 2011.

The simple formula education, compliance and enforcement was the Divisions mantra in regard to interaction with industry members. While in no way hesitant to take whatever steps necessary to address and rectify any illicit behavior, Dan and the Medical Marijuana Enforcement Division have worked with legitimate industry members and law enforcement to complete their mission of ensuring public safety and the availability of quality Medical Marijuana for those legitimately entitled to its use in our State.

Dan began his career in regulatory law enforcement in 1992, worked as the Director of the Medical Marijuana Enforcement Division, and Racing Events Division, and acting Director of the Liquor Enforcement Division.

Also active nationally, Dan served as 2010 Chairman of the Board of Directors of the Association of Racing Commissioners International (RCI) and President of the North American Pari-Mutuel Regulators' Association. He has received NAPRA's Pacesetters

Award (2003) and was an honored recipient of the RCI's award for achievement and leadership: the Len Foote Award (2007).

## **Josh Stanley**

### **Vice President**

Josh Stanley is currently working on developing new projects and spends a majority of his time with that and with the non-profit research portion of our company. However, his availability will be focused on this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract.

Josh Stanley was a key player in the legislative efforts that brought the first true regulation in the medical marijuana industry to Colorado. Set the standard for true medicinal cannabis by starting Colorado's first true political action committee and 501c4, the Medical Marijuana Industry Group. He was a member of the rules and regulations workgroup and R & D subcommittee of the DOR Medical Marijuana Enforcement Division.

Break through breeding of a cannabis plant with the lowest content of THC and the highest content of CBD in the world. This plant has no psychoactive properties yet has been shown through observational research studies to stop the progression of various forms of Epilepsy and other various debilitating conditions.

Founder of the Realm of Caring, a 501c3 non-profit organization committed to providing observational research studies through non-smoke able forms of cannabis treatment for many variations of approved medical conditions in the State of Colorado with a very high rate of success.

He worked with National Geographic on his own television series called American Weed that followed him through his observational research studies and patient successes.

He has maintained a weekly radio show that airs the world over to promote the responsible uses of cannabis as an alternative form of treatment. His commitment to responsible cannabis reform has separated him from the world of "pot culture" and given him the opportunity to offer a form of treatment that is truly changing the landscape of medicinal cannabis science and gives a new meaning to the term medical marijuana.

## **Stanley Brothers**

The Stanley Brothers currently run the grow, infused product and retail side of the licensed operation. Their expertise and knowledge will be utilized as needed and as team members they have the ability to schedule themselves in performance of this contract.

The Stanley Brothers consist of Joel, Jesse, Jonathon, Jordan and Jared Stanley. The Brothers were one of the first groups to enter the legal arena of medicinal marijuana in Colorado. The Brothers specialize in various cutting edge cultivation and medical grade cannabis breeding projects on their extensive farm. The Brothers own and operate what has been called the largest and the most professional series of greenhouse farms in Colorado. The Brothers implement only the finest organic methods of propagation in their over 150 different, proprietary strains of medical marijuana.

The Stanley Brother's farm is also the epicenter for a strain that they have been in the process of developing for the past 3 years. This strain is believed to be "the future" of medical Marijuana due to its non psychoactive effects and high levels of CBD and low levels of THC. The Brothers farm currently supplies more high CBD plants than anywhere in the world.

The Brothers are the backbone of the Realm of Caring program as what they have been able to cultivate has helped countless cancer, MS, and epilepsy patients throughout Colorado.

Jesse Stanley-Business Economics degree from the University of Colorado

Jared Stanley - Construction Management degree from Colorado State University. He has served as the general contractor for the construction of grow facilities and greenhouses.

#### **CATEGORY 2 – PRODUCT QUALITY STANDARDS AND TESTING**

Please answer the questions listed below, attaching additional pages as necessary:

5. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, skills and/or expertise in Product Quality Standards and Testing, including but not limited to the following:
  - a. Knowledge of the infrastructure required to test Marijuana to ensure product quality, content, ingredients and consumer safety considerations
  - b. Assisting the WSLCB with establishing quality standards for testing Marijuana

Operating a laboratory in the cannabis industry is incredibly challenging. However, coupling modern technological advances with a solid management style allows the goal of quantitating potency and addressing health and safety of medical cannabis and associated products.

Our organization bases all laboratory function, from sample intake to calibration standards to running the business itself off of the International Organization for Standardization (ISO) model, particularly ISO9000 (see [www.iso.org](http://www.iso.org)). This document serves as a published guidance for all laboratories reporting data, as a service, to the public. Coupled with OSHA regulations and Good Laboratory Practice guidance from organizations such as the WHO (World Health Organization guidance on medical plants), AHPA (American Herbal Products Association), local Fire and Safety codes and a genuine concern for the utmost health and safety concerns, this guidance ensures that all

laboratories are standardized to some degree and operate in a safe, transparent manner. Furthermore, we look to existing corporate models of producing pharmaceutical medical cannabis (Canada, Netherlands) as well as 50+ years of published scientific evidence on the chemistry of cannabis for the details in the scientific process. One of the biggest problems in the cannabis industry is answering the question, "How do we know you're doing it right". Our standardized model ensures that all instruments and equipment are kept in perfect running condition, are calibrated and maintained properly, and that records of all samples (a strict chain of custody within the lab), clients, payments, reagents (chemicals-their intake and use), hazardous waste disposal, etc. are kept on file for consistency and proof of proper operation and health and safety. It also means that the laboratory is meeting the expectations of other scientists in the field, and that the data gathered is reliable, precise, accurate, and able to be shared with the worldwide scientific and medical community.

The infrastructure required to test cannabis for cannabis potency and address health and safety concerns relies upon a fully functional analytical chemistry laboratory equipped with modern, well-calibrated analytical instrumentation that relies on third-party chemical reference standards and well-trained personnel to operate each piece of equipment in the lab. The equipment used is of going concern; one *must* select the right tool for the job and ensure that it is always functioning properly, e.g. The AHPA, WHO, and a host of scientific evidence states that using HPLC (High Pressure Liquid Chromatography) is the preferred instrumentation for quantifying cannabis potency, and also requires the use of 99.999% pure cannabinoid chemical reference standards to be used as instrument calibration tools. These reagents and equipment are readily available to the cannabis industry, and must be used. Otherwise, potency numbers vary wildly and are unreliable.

Not only is our team knowledgeable of these caveats, our team has been consulting and working to help labs achieve these goals in Colorado and nationwide since early 2009. We possess a network of professional scientists and vendors across the country to meet the goals of vigorous scientific research and quantitative data reporting. Therefore, our firm is more than able to assist the WSLCB in adopting and establishing quality standards for the cannabis industry.

6. **Experience.** In two (2) pages or less, please describe your firm's experience in the Product Quality Standards and Testing field, as it relates to Marijuana.

As mentioned, our laboratory and medical research team has been researching cannabis, developing laboratory protocols and methods, and training others to meet standardization since 2009. One of our chemists helped numerous companies take a more scientific, safe approach to the science of cannabis: from extractions and formulations of products to the safety and potency concerns of patients and consumers. He has set up numerous laboratories in the cannabis industry, and has consulted with the Colorado Department of Revenue to write rules to regulate industry labs based on the aforementioned standards.

Our team's experience is lengthy and fully applicable to the goals of WSLCB.

7. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

Dan Hartman

President

Dan Hartman is currently working on the overall management of the company and spends a majority of his time with that. However, his availability will be focused on this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract and at least initially if not for the length of the contract be the designated project manager.

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## Chris Stubbs – Chemist

Chris Stubbs' duties will focus on developing research and standardization. A majority of his time will be with the research and development portion of our company. However, he will be available and will part of this project from the beginning and throughout the balance of this contract. Quality and standards are very important to him

He holds a dual B.A. in Biology and Chemistry, graduating from the University of Colorado at Colorado Springs in 2006. Since 2002, Chris worked in the laboratory studying drug resistant cancer cells and the impact of the endocannabinoid system on cell metabolism and immunity with the CU Institute of Bioenergetics under Dr. Robert Melamede and Dr. Karen Newell. During this time his chemistry studies focused on Analytical Chemistry and Instrumental Analysis and later their application to the cannabis plant. In 2009 to 20011, he acted as laboratory director for Cannabis Science to develop intellectual property and quality control standards for their use. From mid-2010 on, Chris has consulted with a variety of Colorado laboratories to solve scientific problems and provide quality standards to laboratories such as Full Spectrum and Genovations. In 2012 Chris was named laboratory director for CannLabs, Inc. and revamped their scientific and health and safety operations to provide proper data and standardization for the Colorado Cannabis Industry. Chris provides a wealth of knowledge not just of the science of analytical chemistry, but specific knowledge of both the cannabis plant and the human endocannabinoid system. This unique knowledge base and solid communication skills allow success in scientific inquiry and standardization, as well as governmental rulemaking.

## Bryson Rast - Chemist

Bryson Rast's duties will focus on developing research and standardization. A majority of his time will be with the research and development portion of our company. However, he will be available and will part of this project from the beginning and throughout the balance of this contract. Quality and standards are very important to him

Bachelors Degree Chemistry Colorado State University ACS certified 1998.

He has over 10 years of experience in the pharmaceutical industry. I worked for Pfizer Inc. at their Groton, Connecticut research site from 1998 to 2003 on small molecule anti-inflammatory and obesity drugs. This was followed by discovery oncology research with Array Biopharma in Boulder Colorado from 2004 to 2009.

Use his knowledge and techniques in the laboratory for the separation and purification of organic chemical mixtures, analysis and structural elucidation of components and purity evaluations for reaction mixtures and purified compounds. He has experience with plant extracts and semi-synthesis of natural products from them.

My instrumentation abilities include use of carbon and proton NMR, MS, LC/MS, FTIR, UV-Vis, Karl-Fisher water titration, GC and HPLC including method development on an Agilent QTOF-MS system.

## **Alan Shackelford, M.D.**

Dr. Shackelford is currently working on developing research protocols and observational studies. He spends a majority of his time with that and with the non-profit research portion of our company. However, he will be available will part of this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract. Quality and standards are very important to him.

Dr. Alan Shackelford is a graduate of the University of Heidelberg School of Medicine in Heidelberg, Germany and completed his postgraduate medical training at major teaching hospitals of the Harvard Medical School, including a residency in internal medicine and clinical Fellowships in nutritional and behavioral medicine as well as a Harvard Medical School research fellowship.

Dr. Shackelford's interests are wide-ranging, and include the investigation and study of the medical uses of cannabis as well as applying principles of behavioral medicine to the treatment of stress-related illnesses, obesity, insomnia and tobacco dependence. He has advised legislators in Colorado and Connecticut on the medical uses of cannabis during deliberations on bills establishing and regulating medical use of cannabis, has testified a number of times before state senate and house committees in Colorado and Connecticut on the medical uses of marijuana and serves on the Colorado Department of Revenue Medical Marijuana Advisory Work Group and a similar group advising the City and County of Denver. Dr. Shackelford is principle physician of Amarimed of Colorado, a medical practice devoted to the study and evaluation of cannabis as a medical treatment option.

## **Josh Stanley**

Vice President

Josh Stanley is currently working on developing new projects and spends a majority of his time with that and with the non-profit research portion of our company. However, his availability will be focused on this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract.

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8. **Approach and Methodology.** In two (2) pages or less, please provide a complete description of your firms’ proposed approach and methodology to be used in assisting the WSLCB to develop a reputable protocol for Product Quality Standards and Testing as requested in this RFP, to determine TCH/CBD levels and/or ratios, mold or chemical contaminants, and Product strain.

Our team approaches the questions of cannabis potency and safety in a straightforward, scientifically based methodology that is, as mentioned, based on over 50 years of scientific data as well as international standards for laboratory operation. The process is looked at in two major areas:

### **1. Cannabis Potency**

The cannabis plant produces 3 main classes of compounds present in the resin: cannabinoids (of primary concern), terpenoids, and flavonoids (both of secondary concern). All three chemical groups contribute to the “entourage effect” of cannabis (although delta-9-THC is the main active ingredient) and are biologically active in the human body because of their interaction with the endocannabinoid system, which globally regulates many body processes (e.g. immune system and inflammation, or neurological signaling). Modulating this receptor-based network with phytocannabinoids (cannabinoids such as THC, CBD, etc. that the plant biosynthetically produces) is the mechanism behind why cannabis works medically in many ways for so many people. Therefore, gathering true quantitative data on potency is an essential process. Without proper

testing and labeling requirements, there is no way to pass this data on to the consumer or the scientific community.

**a. Cannabinoid Potency Materials and Methods-**Being able to quantitate the potency of the five major cannabinoids (THCA, CBDA, delta-9-THC, CBD, and CBN) in cannabis flowers and products requires the use of High Pressure Liquid Chromatography coupled with Mass Spectroscopy and third-party chemical reference standards for each chemical one is providing data on, for calibration purposes. These standards are FDA and DEA certified, and cleared to use by qualified labs through the DEA form 222, exempting the chemicals from their chain of custody because they are at low concentrations and in an un-usable matrix (i.e. (1mg/mL THC in methanol, 1mL total volume). Proper knowledge of solid and liquid-phase extraction techniques, purification, sampling, and recordkeeping is necessary. This method allows the study of all cannabinoids present in the plant.

**b. Terpenoids and Flavonoids Materials and Methods-**These are secondary to potency of cannabinoids and can be quantitated using GCMS (Gas Chromatography with Mass Spectroscopy) and proper third party chemical reference standards for each molecule the lab is reporting data on, again to properly calibrate laboratory instrumentation.

## 2. Cannabis Safety

**a. Gross Visual Microscopic Inspection-**Documenting physical features, taking pictures, and inspecting for foreign contaminants like mites, gnats, molds, fungi, etc.

**b. Adulterants and Banned Chemical Analysis** (pesticides, additives, etc.) is achieved by proper extraction, preparation, and sampling through a Gas Chromatograph equipped with accepted reagents and methods for pesticide analysis recommended and published by the EPA. Acceptable levels for these chemicals (if they are not banned) are published either by varying state laws or national guidance like that of the AHPA. A pass/fail system is used to interpret the quantitative data.

**c. Residual Solvent Testing of Concentrates.** Again, the AHPA, WHO, etc. publishes acceptable limits of the most commonly used extraction reagents in plant extracts. Once the data is gathered from reliable, applicable, well-calibrated equipment such as a Gas Chromatograph with Mass Spectroscopy and Headspace capability, a pass/fail system is used to interpret the data.

**d. Microbiological Contaminants** are tested using a clean space dedicated to the testing process. The widely accepting Colony Forming Unit (CFU) plate count test is used. Major bacterial classes and specific molds and mildews are targeted for analysis, and the results are interpreted as a pass/fail system as well.

Once all data is gathered, it is assembled into a clear, concise data sheet for the review of the consumer, organization, or state (depending on the model used). There are further requirements for batch/lot testing, packaging techniques, sanitary techniques, etc. to guarantee uniform production and distribution of a safe, well profiled cannabis product that the State can track and regulate.

### **CATEGORY 3 – PRODUCT USAGE AND CONSUMPTION VALIDATION**

Please answer the questions listed below, attaching additional pages as necessary:

#### **RBI Strategies and Research – Subcontractor for Angel Fire Strategies**

9. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, and skills and/or expertise to estimate Product Usage and Consumption levels by geographic areas in Washington State.

RBI Strategies and Research is a Denver, Colorado-based consulting firm specializing in survey research, strategic communications and project management. Our clients include national and state elected officials, governmental agencies and non-profit organizations. Founded in 1985, by Rick Ridder and Joannie Braden, the firm has been involved in local, national and international politics at all levels for over twenty-five years.

We pride ourselves as experts in crafting strategic messaging designed to further our clients' goals. It is our firm belief that our research background and experience would make us a valuable asset to this project.

RBI has a reputation for producing qualitative and quantitative research that is both insightful and accurate. For causes as diverse as head of state campaigns to rural electric cooperatives, RBI's strategic research services have been integral to our clients' efforts.

On the national and international level, we have helped elect seven heads of state, numerous members of Congress and hundreds of other officials. However, we have not neglected local communities and organizations. We have conducted hundreds of surveys in over twenty states and eight countries for leading environmental and conservation groups, the United Way and teachers associations. We have worked with corporations on market research and customer satisfaction surveys in fields as diverse as worldwide shipping, cross country trucking, telecommunications users groups and even women's fast-pitch softball.

Our staff is almost as diverse as our client list, with specialties in non-profit strategic planning, public relations, state and federal government, campaign management, labor organizing and extensive experience in opinion research. Our team has over a century of combined experience creating and implementing political, legislative, and communications strategies. Over the years, we compiled a record of success by carrying out well-crafted research and communications techniques aimed at delivering measurable

results.

10. **Experience.** In two (2) pages or less, please describe your firm's experience in statistical research, specifically related to determining demographic and/or psychographic segmentation, preferably related to the use of Cannabis.

RBI Strategies has decades of experience testing messaging around marijuana, and an unmatched record of success in helping distill those messages into winning strategy. There is no firm in America with as long and successful of a track record in the field of marijuana legalization.

RBI co-wrote, managed, and conducted all survey research for the successful Colorado ballot initiative in 2000 that legalized medical marijuana. Our research showed which demographic groups were most likely to support the measure, and how to effectively message around marijuana.

In 2012, RBI served as consultants to both the Washington and Colorado ballot measures to legalize marijuana. In that capacity, we provided expert advice on messaging, targeting, and strategy. Working with a client, we supervised a project in the Colorado Springs media market using both qualitative and quantitative research to measure the impact of marijuana legalization messaging on targeted demographic groups. By utilizing the takeaways from this project it helped drive both Washington and Colorado's ballot measures to victory.

RBI has also conducted research on marijuana regulation in Fort Collins, Colorado to help understand resident's attitudes in this fast-changing environment.

In addition to our survey research capabilities, RBI brings cutting edge experience analyzing and understanding demographic and psychographic trends. Our Managing Director, Craig Hughes, served as Senior Advisor to the 2012 Colorado Obama campaign, which broke new barriers in the effective use of data and analytics in understanding and influencing behavior.

We believe the combination of our survey research background, decades of work in this field, and cutting edge understanding of data and analytics would make us an ideal partner for this effort in Washington State.

11. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

RBI is a diverse team of campaign professionals. Though all members of our staff will be involved in your project, Rick Ridder and Craig Hughes will be the working leads.

Our experience working in the realm of ballot initiatives and referendums is as broad as it is deep and we believe this translates into successful strategy and research for our clients.

**Rick Ridder, President and Co-Founder of RBI Strategies and Research,**

Rick Ridder is a former presidential campaign manager and senior consultant for five other presidential campaigns. In the over 25 years with RBI, Rick has consulted for numerous U.S. Congressional, gubernatorial, state and local campaigns. Internationally, he has worked in 20 countries including the successful campaigns of seven heads of state. He is a past president of the International Association of Political Consultants and a winner of the "Pollie" Award as International Consultant of the Year. He has written for "Salon.com," "Campaigns and Elections," "Australian Financial Review" and "The Denver Post." Internationally, Rick has been profiled in publications in Denmark, Greece, Portugal, and the UK. He has appeared on all major US networks, the BBC, Australian Broadcasting, and a number of other foreign broadcast networks.

On a personal level, Rick has been recognized with the "Award of Achievement" from the Gleitsman Foundation, "in recognition of commitment and leadership initiating social change." He holds a BA from Middlebury College, an MS in Broadcasting from Boston University, and is an Adjunct Professor at the University of Denver's Korbel School of International Studies.

**Joannie Braden, Vice-President and Co-Founder,**

Joannie has been involved in politics for almost 30 years. Since starting RBI with her husband, she has been integral to every aspect of the firm's development.

Her expertise includes campaign strategy, voter contact, survey research, and budgeting. Joannie enjoys working with both candidates and non-profits, especially women's reproductive health advocates and environmental groups. She has worked closely with clients on ad creation, messaging and media placement. She has been involved in campaigns and campaign training programs in Mexico, the United Kingdom, Australia, Spain, and Sweden.

She is a yoga and fitness enthusiast, a discriminating coffee drinker, and an avid reader. She has a working knowledge of Spanish and holds a B.A. from Bennington College.

**Craig Hughes, Managing Director**

Craig is one of the pre-eminent strategists and managers of political and issue campaigns in the country. Called "one of the five most influential Democrats in Colorado" by *Campaigns and Elections* magazine, Hughes has been involved in the design and management of dozens of high level issue and candidate campaigns throughout the

United States. In fact, he has worked on four victorious presidential races alone. Most recently, he served as Senior Advisor for Barack Obama's campaign in Colorado, which resulted in a resounding 5.3% victory in this battleground state. This was a repeat engagement for Hughes, who also served as Senior Advisor for the 2008 Obama campaign in Colorado.

In 2009-2010, Craig managed Michael Bennet's U.S. Senate campaign, which was called "one of the best run races in America" and resulted in a narrow victory – one of the few Democrats in targeted races to win in the 2010 election cycle.

Craig came to RBI after working as Eastern Political Director in the Clinton White House from 1998-2000. In that position, he supervised political activities for the President, First Lady, Vice President, and Mrs. Gore in twelve Eastern states. Craig was one of the earliest staff members hired for the Clinton for President Campaign in 1991, and subsequently worked for both Clinton/Gore campaigns as well as the Democratic National Committee. Through these and other positions, Craig has worked on or consulted for campaigns in over twenty states in every section of the country. Craig has been a featured speaker at political trainings, retreats and clinics, including seminars in Kenya, Uganda, and Brazil.

12. **Approach and Methodology.** In two (2) pages or less, please provide a complete description of your firm's proposed approach and methodology to be used for Product Usage and Consumption validation as requested in this RFP, to estimate demographic and psychographic segmentation, specifically related to the use of Cannabis.

In order to get an accurate sampling of the State of Washington, with statistically valid breakdowns by smaller geographic regions (such as County) a large-sample instrument would be necessary.

The least expensive way to accomplish such a survey would be a "robo poll" using computerized calls. Unfortunately, the FCC outlaws computerized calls to cell phones, and the nature of this survey absolutely *demands* an accurate sampling of cell phone users.

Therefore, we propose a 2500 sample, 6-minute survey conducted by professional telemarketers. This would allow for approximately ten attitudinal questions, plus six demographic questions. As an example, a survey of this size would yield the following for Margin of Errors:

Statewide	+/- 1.96%
King County	+/- 3.1%
Kitsap County	+/- 9.22%
Spokane County	+/-6.68%
Walla Walla County	+/- 19.59%

As you can see, with such small population bases, the less populated counties will have to be grouped together in order to reach statistical validity, while a survey base of this size will give very accurate results in the larger counties.

With a sample of this size, more advanced statistical methods can be employed for improved demographic and clustering of the data.

Alternatively, we could conduct an 800 sample survey that gives us a statewide Margin of Error of +/- 3.46%. We can then group counties into 4 regions with sub-samples of 200 interviews each, leading to a Margin of Error of +/- 6.93% in each region.

#### **CATEGORY 4 – PRODUCT REGULATION**

Please answer the questions listed below, attaching additional pages as necessary:

13. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, and skills and/or expertise in Product Regulation, including but not limited to, the following:
- a. Experience with State, local or Federal government processes and procedures
  - b. Experience in crafting system regulations

We have nearly three decades of service at the highest levels of state government. John Tipton held the position of Executive Director of the Department of Revenue in Colorado and was a member of the Governors' cabinet. During his tenure as Executive Director he was instrumental in crafting the enabling legislation and regulations for limited stakes gaming and created the Gaming Division from the ground up. John's experience didn't stop with just enforcement of gaming; the department also oversaw the regulation of the Liquor, Lottery and the Racing Divisions.

As the top official for the Department he was the Licensing authority and passed the final agency judgment on new regulations as the rules hearing officer.

John's experience as a negotiator helped with the task of gaining consensus from industry stakeholders and interested parties as complete regulation books were put into place on a tight time frame. He was also the States chief negotiator as the two Native American tribes sought gaming compacts.

Dan Hartman has been with the Department of Revenue for over 21 years and has held the positions of Director of the Racing Events Division overseeing the regulation of horse and greyhound racing; Acting Director of the Liquor Enforcement Division and the Director of the Medical Marijuana Enforcement Division. During his time with the department he has been instrumental in crafting the enabling legislation and regulations for the Medical Marijuana Enforcement Division and created the Medical Marijuana Enforcement Division from the ground up.

Dan's experience as a regulator helped with the task of gaining consensus from industry stakeholders and representative groups as complete regulation books, the first of its kind,

were put into place on a tight time frame. These groundbreaking regulations are now being used by other states to form the foundation of their regulatory framework.

Dan currently is a member of the Association of Racing Commissioners International model rules committee. This committee is charged with establishing and amending the model rulebook that is used as a guide for all racing regulatory jurisdictions in North and South America.

Josh Stanley and Dr. Alan Shackelford were both members of the medical marijuana working groups that worked with the department to craft the regulations.

14. **Experience.** In two (2) pages or less, please describe your firm's experience in working within the confines of a regulatory system, and experience in creating and/or modifying rule, law, ordinance, and/or guidelines.

The principles directors of the firm believe that in order for the rulemaking process to succeed the regulator needs to engage the industry stakeholders. It is important that representative groups made up of all government, industry and the general public have a voice in the process. We have extensive experience with this throughout multiple agencies. Ultimately at the end of the process the agency has to have regulations that are enforceable and fair, but laws and regulations are much easier to implement when there is buy in.

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Dan Hartman has been with the Department of Revenue for over 21 years and has held the positions of Director of the Racing Events Division overseeing the regulation of horse and greyhound racing; Acting Director of the Liquor Enforcement Division and the Director of the Medical Marijuana Enforcement Division. During his time with the department he has been instrumental in crafting the enabling legislation and regulations for the Medical Marijuana Enforcement Division and created the Medical Marijuana



Enforcement Division from the ground up. He has also maintained ongoing rules review in the other divisions he has work in.

Dan's experience as a regulator helped with the task of gaining consensus from industry stakeholders and representative groups as complete regulation books, the first of its kind, were put into place on a tight time frame. These groundbreaking regulations are now being used by other states to form the foundation of their regulatory framework.

Dan currently is a member of the Association of Racing Commissioners International model rules committee. This committee is charged with establishing and amending the model rulebook that is used as a guide for all racing regulatory jurisdictions in North and South America.

15. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

Dan Hartman

President

Dan Hartman is currently working on the overall management of the company and spends a majority of his time with that. However, his availability will be focused on this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract and at least initially if not for the length of the contract be the designated project manager.

Having worked for the Colorado Department of Revenue (DOR) in regulatory enforcement for over twenty-one years, Dan brought a strong regulatory background to the Medical Marijuana Enforcement Division. Colorado was the first state to begin regulation of this newly legalized industry, which put him at the forefront of one of our nation's more controversial issues. Aware of the intense level of scrutiny in which this placed him, Dan did not changed his approach to regulation – maintaining his focus on education and bringing members of the industry into compliance with unambiguous and fair regulation that protects the public and legitimizes industry business practices. This was only one of the qualities that led Department management to involve Dan, from the beginning in December 2009, in the legislative process that created the Division, tasking him with building the Division and appointing him as the Division Director in January, 2011.

The simple formula education, compliance and enforcement was the Divisions mantra in regard to interaction with industry members. While in no way hesitant to take whatever steps necessary to address and rectify any illicit behavior, Dan and the Medical Marijuana Enforcement Division have worked with legitimate industry members and law enforcement to complete their mission of ensuring public safety and the availability of quality Medical Marijuana for those legitimately entitled to its use in our State.

Dan began his career in regulatory law enforcement in 1992, worked as the Director of the Medical Marijuana Enforcement Division, and Racing Events Division, and acting Director of the Liquor Enforcement Division.

Also active nationally, Dan served as 2010 Chairman of the Board of Directors of the Association of Racing Commissioners International (RCI) and President of the North American Pari-Mutuel Regulators' Association. He has received NAPRA's Pacesetters Award (2003) and was an honored recipient of the RCI's award for achievement and leadership: the Len Foote Award (2007).

## John Tipton, Esq.

John Tipton has recently joined the team as council for the company. He also heads up his own law firm. However he is available in an advisory capacity for this project.

John J. Tipton is the President of The Tipton Law Firm, P.C. He is internationally recognized as an authority in the regulatory, legal and operational issues of the gambling industry. In 1990, while a member of the cabinet of the Governor of Colorado, Mr. Tipton was instrumental in the drafting of the limited gaming legislation in Colorado and was responsible for its implementation.

He created and directed the Colorado Division of Gaming, which included licensing, taxation and regulatory functions. He was also the chief negotiator for the State of Colorado on the Indian gaming compacts with the two federally recognized Indian tribes located in Colorado. Mr. Tipton has been involved in the casino gaming and hospitality industry for nearly 18 years and has served as CEO, President and General Counsel to several international gaming companies.

In addition to his work in the gaming industry, Mr. Tipton was the Executive Director of the Colorado Department of Revenue and was responsible for all tax matters in Colorado. He also was responsible for the Division of Motor Vehicles, the operation and regulation of the Colorado Lottery, the Colorado Division of Racing and the Colorado Liquor Division. He was the chief liquor licensing officer for the state of Colorado and also handled numerous disciplinary actions against liquor licensees.

Mr. Tipton has more than 30 years of experience in estate planning, tax law and general corporate and business matters. He works with both domestic and international clients representing them in all aspects of business related, financial and personal transactions. He has represented clients from Europe, the Middle East, Asia, Australia, the Caribbean, Canada, South and Central America in numerous business transactions. He has been the

lead counsel on numerous financing transactions ranging from several thousand to hundreds of millions of dollars. Articles in various publications including The American Lawyer, American Bar Association Journal, Denver Business, Of Counsel and Arizona Bar Briefs have profiled Mr. Tipton's expertise. In addition, Mr. Tipton was, and continues to be, a frequent speaker at numerous local, national and international seminars on international business transactions, business planning and casino gaming.

Mr. Tipton is an adjunct professor of law at the University of Denver College of Law, and is responsible for teaching casino gaming law and public policy in relation to casino gaming.

#### EDUCATION

- University of Denver College of Law, LL.M in Taxation, 1978
- University of Denver College of Law, J.D., 1974
- Colorado State University, B.S., 1968 , cum laude

#### ADMISSIONS

- Pennsylvania, 2004
- Colorado, 1974

#### COURT MEMBERSHIPS

- United States Supreme Court
- United States Tax Court
- Tenth Circuit Court of Appeals
- U.S. District Court for the District of Colorado
- Colorado Supreme Court
- Pennsylvania Supreme Court

#### HONORS

- AV Rating in the Martindale-Hubbell Law Directory for very high to preeminent ability and highly ethical conduct in the practice of law
- Recipient of the 1998 Humanitarian Award from the Council on Compulsive Gambling of Pennsylvania
- Recipient of the 2004 Golden Halo Award for charitable work for Angel Flight West and the Angel Flight West – - Foundation in their services to the medically needy
- Recipient of the 2001 Golden Halo Award for charitable work for Angel Flight West services to the medically needy
- Recipient of numerous awards and recognition for quality management in both the private and public sector

#### PROFESSIONAL AFFILIATIONS

- American Bar Association
- Colorado Bar Association
- International Association of Gaming Attorneys
- Member of the Board of Directors and Chairman of Angel Flight West Foundation (2004 - 2006)

- Board Member for the National Non-Profit Organization, Angel Flight (2003 - 2006)

#### MILITARY SERVICE

- Vietnam War Veteran
- United States Air Force Intelligence Service

## **Josh Stanley**

### Vice President

Josh Stanley is currently working on developing new projects and spends a majority of his time with that and with the non-profit research portion of our company. However, his availability will be focused on this project from the beginning. As a senior member and an officer of the company he will focus on the performance of this contract.

Josh Stanley was a key player in the legislative efforts that brought the first true regulation in the medical marijuana industry to Colorado. Set the standard for true medicinal cannabis by starting Colorado's first true political action committee and 501c4, the Medical Marijuana Industry Group. He was a member of the rules and regulations workgroup and R & D subcommittee of the DOR Medical Marijuana Enforcement Division.

Break through breeding of a cannabis plant with the lowest content of THC and the highest content of CBD in the world. This plant has no psychoactive properties yet has been shown through observational research studies to stop the progression of various forms of Epilepsy and other various debilitating conditions.

Founder of the Realm of Caring, a 501c3 non-profit organization committed to providing observational research studies through non-smoke able forms of cannabis treatment for many variations of approved medical conditions in the State of Colorado with a very high rate of success.

He worked with National Geographic on his own television series called American Weed that followed him through his observational research studies and patient successes.

He has maintained a weekly radio show that airs the world over to promote the responsible uses of cannabis as an alternative form of treatment. His commitment to responsible cannabis reform has separated him from the world of "pot culture" and given him the opportunity to offer a form of treatment that is truly changing the landscape of medicinal cannabis science and gives a new meaning to the term medical marijuana.

16. **Approach and Methodology.** In two (2) pages or less, please provide a complete description of your firms' proposed approach and methodology to be used in assisting the WSLCB with developing rules and a regulation strategy for the state of Washington's new Marijuana System.

We will use the same methodology throughout this project. Our president intends to engage the WSLCB leadership to completely understand their current philosophy on the regulation of the industry. We would like to match our regulatory mindset to that of the WSLCB. We will tailor our program to meet the time frames and the expected deliverable. The project manager has the overall responsibility for the planning and execution of the project. The role of the project manager encompasses many activities including but not necessarily limited to:

- Planning and Defining Scope
- Activity Planning and Sequencing
- Resource Planning
- Developing Schedules
- Time Estimating
- Cost Estimating
- Developing Budget
- Controlling Quality
- Managing Risks and Issues
- Creating Charts and Schedules
- Documentation
- Team Leadership
- Strategic Influencing
- Liaison and first line of contact

The project manager's primary responsibility is to create an environment where these issues can be mitigated. It is our experience and practice that a good project manager can reduce program risk significantly. By utilizing open communication and ensuring that all stakeholders have an opportunity to express opinions and concerns we can reduce delays and avoid costly misunderstandings. The project manager will have an ongoing open dialog with the WSLCB's defined project lead at regular scheduled times. Internal and external communication is essential and it will be the role of the project manager to understand clearly the needs of each category and the expected deliverable. Depending on the scope of the project we will match the proper team members with the task and match it with needed expertise. By coordinating with the WSLCB the firm will seek to optimize time with staff to maximize intellectual exchange while being mindful of schedules and costs. This will also allow us to allocate support staff to where it is needed. The initial program manager on this project will be a senior management team member, changes to that will be made only after discussions with the WSLCB have taken place. At this time this project would be our only program therefore senior management will be focused on it success. Other staff may have limited time availability but with proper and timely communication we will always have the needed assets for all stages of the project.

In order for the rulemaking process to succeed the regulator needs to engage the industry stakeholders. To the extent there is adequate timing, it is important that representative groups made up of all law enforcement, government officials, industry and the general public to have a voice in the process. We have extensive experience with this throughout multiple agencies. Ultimately at the end of the process the agency has to have regulations

that are enforceable and fair, but laws and regulations are much easier to implement when there is buy in.

We are prepared to help draft regulations on all aspects of setting up this system. By drafting and engaging staff we will have a working document that can be vetted in public or private settings speeding up the exchange.

Because we have set up the model legislation and regulation we know what works and where there is room for modification. We believe that there needs to a strong monitoring component including tracking and central database reporting. These are all issues we will bring to build your regulatory strategy.

Communication and understanding the philosophy of the WSLCB and its goals to the implementation in Washington State will be the key to designing what your end result will look like. We would like to be the firm that crafts that vision for Washington State.

**Norton, Melissa K**

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**From:** Melody Barrows <counselormelody@gmail.com>  
**Posted At:** Friday, February 15, 2013 1:46 PM  
**Conversation:** RFP-K430, B & G Products LLC  
**Subject:** RFP-K430, B & G Products LLC

Please find attached my complete RFP K430 submittal documents.

Sincerely,  
Melody Barrows

B & G Products LLC

# PROPOSER'S AUTHORIZED OFFER

(PROPOSAL SIGNATURE PAGE)

Initiative 502 Consulting Services - RFP K430  
Issued by the Washington State Liquor Control Board

## Certifications and Assurances

We make the following certifications and assurances as a required element of the Response, to which it is attached, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered. The prices in this Response have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single Proposal.
2. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by the Washington State Liquor Control Board (WSLCB) without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120 day period. In the case of protest, our Response will remain valid for 180 days or until the protest and any related court action is resolved, whichever is later.
3. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this Response. Any exceptions to these assurances are to be described in full detail on a separate page and attached to the Proposer's Response.
4. We understand that the Washington State Liquor Control Board (WSLCB) will not reimburse us for any costs incurred in the preparation of this Response. All Responses become the property of the WSLCB, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.
5. We understand that any Contract awarded, as a result of this RFP will incorporate all the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix B, [or substantially similar terms], if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix B of this solicitation.
6. We (circle one) are  submitting proposed Contract exceptions.
7. The authorized signatory below acknowledges having read and understood the entire solicitation and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Proposal.
8. By submitting this Proposal, Proposer hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.
9. Proposer has read and understands the requirements of the WSLCB set forth in and pertaining to Initiative 502. The signatory below represents that he/she has the authority to bind the company named below to the Proposal submitted and any contract awarded as a result of this solicitation.

Proposer Signature

Title

Company Name

Date





## PROPOSER INFORMATION

**Proposer Profile:**

Firm Name: B & G Products LLC  
 Street Address: PO Box 241 LMA, IN 46783  
 City, State, Zip: Peru, IN 46783  
 Federal Tax ID Number: PersonallInfo  
 DBI: \_\_\_\_\_  
 Website URL: \_\_\_\_\_

**Proposer Authorized Representative:**

Proposer must designate an Authorized Representative who will be the principal point of contact for the WSLCB Contract Administrator for the duration of this RFP process. Proposer's Authorized Representative will serve as the focal point for business matters and administrative activities.

Representative Name: Melody Barrows  
 Telephone: 765-476-8912  
 Email: comrcolormelody@gmail.com

**Payment Options:**

YES  NO Do you offer a Prompt Payment Discount? If yes, please provide below.

Prompt Payment Discount: 1 % 10 days, net 30 days.

YES  NO Will you accept the State's Purchasing Card (P-Card)?

YES  NO Will you accept Electronic Funds Transfer (EFT)?

**Categories of Service:**

Proposer must designate the Category(ies) of service for which this Response applies. Please check the appropriate box(es) below:

Category	Description	Response Applies this Category
ALL	ALL Categories (1-4) listed below	√
1	Product and Industry Knowledge	
2	Product Quality Standards and Testing	
3	Product Usage and Consumption Validation	
4	Product Regulation	

## SUBCONTRACTOR INFORMATION

**Check the applicable box:**

Yes  No  Your firm intends on utilizing subcontractors to fulfill the service requirements outlined in RFP K430, Initiative 502 Consulting Services.

Contractor will be required to perform all work under this contract using his/her own employees carried on payroll or by using approved subcontractors. Where subcontractors are used in the performance of the contract, proposers will indicate as required with their response to seek approval. Contractor will be held responsible for all work performed or not performed by the subcontractor(s). Subcontractors will be required to bill through the Contractor.

If revisions are required in the subcontract assignment, new parties are to be proposed in advance of assignment, in writing to the WSLCB and the Contract Administrator.

All subcontractors are to submit a letter on company letterhead indicating the contract has been read, the standard terms and conditions reviewed and agreeing to all requirements presented. The subcontractors shall be required to meet all requirements established for Contractor staff.

If applicable, Proposer shall identify below all subcontractors who will perform services in fulfillment of contract requirements, including their name, the nature of services to be performed, address, telephone, facsimile, email, federal tax identification number (TIN), Washington State Uniform Business Identifier (UBI), and expected work to be performed of each subcontract:

**Subcontractor 1**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No

**Subcontractor 2**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No

**Subcontractor 3**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No

**Subcontractor 4**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified:  Yes  No



## LETTER OF SUBMITTAL

Please find below the requested information as follows:

Individual with whom contact would be written:

Name: Melody Barrows

Address: PO Box 271, Peru, IN 46970

Principal place of business: Peru, IN 46970

Fax number/email address of legal entity: (888)473-2470. [counselormelody@gmail.com](mailto:counselormelody@gmail.com)

Principal officers:

Name: Melody Barrows, PO Box 271, Peru, IN 46970 (765)470-3913

Title: President/Member

Facility location: Plan to acquire facility in Washington state upon awarding of contract

Categories statement: All

State employees identified: None

## NON-COST PROPOSAL

### CATEGORY 1- PRODUCT AND INDUSTRY KNOWLEDGE

#### 1. Ability, capacity and skills

My firm and myself have grown, cultivated, harvested, cured and processed marijuana while maximizing both yield and potency of the product in order to produce a premium product and maintain maximum profitability.

I have personal experience with infusing marijuana into butter and oil which is then utilized in different foods to create edible marijuana substances.

I have over ten years experience in the food industry at district management level; therefore I am familiar with packaging, labeling and health code laws and regulations. Also, I have had the experience of owning two restaurants in which I was responsible for maintaining public health standards, while maintaining cost controls to maximize profitability.

As far as the retail level I have owned a retail store and as a result am very familiar with the retail environment. In addition, I owned an online retail business that did over \$250,000 in it's first year and as a result became familiar with labeling, transporting and shipping at a retail level.

In my online business I had to recall and account for retail and wholesale product due to a defect in craftsmanship from my manufacturer while tracking and replacing customer orders.

If the marijuana is overproduced, contaminated, or recalled, I believe composting would be the safest method for disposal, unless there was a hazardous chemical or substance tainted the product.

## NON-COST PROPOSAL

### CATEGORY 1- PRODUCT AND INDUSTRY KNOWLEDGE

#### 2. Experience

Personally, I have grown, cultivated, harvested, and cured my own marijuana. Over three generations of product were grown.

I have over ten years experience in the food industry working my way through management to a district manager position in which I managed over 230+ employees at any one time. In doing so I was responsible for putting into place and maintaining health code standards and regulations regarding preparation, packaging, labeling of food prepared and served by all 230+ employees. While in this role, I was never cited for a board of health violation.

As previously mentioned, in my online retail business I was responsible for wholesale and retail product recalls and customer satisfaction. In addition I was responsible for coordinating shipping, and transporting product in the continental United States and over 26 other countries internationally.

As far as how marijuana should be destroyed if overproduced, contaminated, or recalled, I believe composting is the most natural, safe, and effective way. Unless a hazardous chemical or substance is the contamination source.

## **NON-COST PROPOSAL**

### **CATEGORY 1- PRODUCT AND INDUSTRY KNOWLEDGE**

#### **3. Team structure and internal controls**

If awarded this contract the firm's sole focus will be the state of Washington's contract. The firm will not accept other contracts.

There will be no sub contractors hired. The firm will have its own employees and hire more as needed to keep the lines of authority for personnel clear.

Ultimately I, Melody Barrows, will be overseeing any management put in place to supervise any employees.



## NON-COST PROPOSAL

### CATEGORY 1- PRODUCT AND INDUSTRY KNOWLEDGE

#### 4. Staff qualifications and abilities

Melody Barrows, President and Member, will be the consultant for this contract and overseeing it in its entirety. As she deems necessary, she will hire those needed to assist her.

#### Individuals education:

AS in business Adm., Ivy Tech College, Indiana.

BS in Criminology, Indiana State University, Indiana.

Minor in plant and life sciences, Indiana State University, Indiana.

Minor in accounting and computer information systems, Ivy Tech College, Indiana.

MS in Criminology, Indiana State University, Indiana.

Juris Doctorate-continuing, Thomas Cooley Law School, Michigan

Juris Doctorate-continuing, Cal-Southern University school of law, California

#### Experience/Significant accomplishment/Skills:

Over 10+ years in the food industry-responsible for state health code and regulations.

4+ years in retail owning/managing

## NON-COST PROPOSAL

### CATEGORY 2-PRODUCT QUALITY, STANDARDS, AND TESTING

#### 5. Ability, Capacity and Skills

I have extensive knowledge in using Cannatest which allows the testing of Marijuana to insure product quality, content, ingredients and consumer safety considerations.

I am experienced with providing a safe and sterile environment in which to dispense and sell food to the public at a retail level. I would apply the same safety standards in assisting the WSLCB with establishing quality standards for testing marijuana.

## **NON-COST PROPOSAL**

### **CATEGORY 2-PRODUCT QUALITY, STANDARDS, AND TESTING**

#### **6. Experience**

As previously stated I have multiple years experience in product quality standards with food and various retail products. I have adhered to health regulations, certifications, and guidelines to produce the highest level of quality in all products. While Marijuana is new to market in the United States, product quality standards have been in place in the food industry at the highest level due to human consumption which would be most comparable to marijuana.

## NON-COST PROPOSAL

### CATEGORY 2-PRODUCT QUALITY, STANDARDS, AND TESTING

#### 7. Staff qualifications and capabilities,

Melody Barrows, President and Member, will be the consultant for this contract and overseeing it in its entirety. As she deems necessary, she will hire those needed to assist her.

#### Individuals education:

AS in business Adm., Ivy Tech College, Indiana.

BS in Criminology, Indiana State University, Indiana.

Minor in plant and life sciences, Indiana State University, Indiana.

Minor in accounting and computer information systems, Ivy Tech College, Indiana.

MS in Criminology, Indiana State University, Indiana

Juris Doctorate-continuing, Thomas Cooley Law School, Michigan

Juris Doctorate-continuing, Cal-Southern University school of law, California

#### Experience/Significant accomplishment/Skills:

Over 10+ years in the food industry-responsible for state health code and regulations.

4+ years in retail owning/managing.

## NON-COST PROPOSAL

### CATEGORY 2-PRODUCT QUALITY, STANDARDS, AND TESTING

#### 8. Approach and methodology

I have extensive knowledge in using Cannatest which allows the testing of Marijuana to insure product quality, content, ingredients and consumer safety considerations.

I am experienced with providing a safe and sterile environment in which to dispense and sell food to the public at a retail level. I would apply the same safety standards in assisting the WSLCB with establishing quality standards for testing marijuana.

## NON-COST PROPOSAL

### CATEGORY 3-PRODUCT USAGE AND CONSUMPTION VALIDATION

#### 9. Ability, Capacity and Skills

Now that marijuana has become legal for recreational use, I would initiate a state wide survey asking about current usage or interest in using the product. This would provide a baseline level of percentage of citizens that will use the product. I would also survey for the average usage levels of the average consumer of the product. Using these numbers crossed with population on a county level, this would provide me a starting point to know how much demand needs to be met in each geographic area.

## NON-COST PROPOSAL

### CATEGORY 3-PRODUCT USAGE AND CONSUMPTION VALIDATION

#### 10. Experience

In the course of my MBA that I am currently finishing I have gained in experience in statistical research relating to demographic segmentation for the purpose of marketing and selling a product. In my prior district manager position, I wrote the company's corporate local area marketing manual.

## NON-COST PROPOSAL

### CATEGORY 3-PRODUCT USAGE AND CONSUMPTION VALIDATION

#### 11. Staff qualifications and capabilities

Melody Barrows, President and Member, will be the consultant for this contract and overseeing it in its entirety. As she deems necessary, she will hire those needed to assist her.

#### Individuals education:

AS in business Adm., Ivy Tech College, Indiana.

BS in Criminology, Indiana State University, Indiana.

Minor in plant and life sciences, Indiana State University, Indiana.

Minor in accounting and computer information systems, Ivy Tech College, Indiana.

MS in Criminology, Indiana State University, Indiana.

Juris Doctorate-continuing, Thomas Cooley Law School, Michigan.

Juris Doctorate-continuing, Cal-Southern University school of law, California.

#### Experience/Significant accomplishment/Skills:

Over 10+ years in the food industry-responsible for state health code and regulations.

4+ years in retail owning/managing.



## NON-COST PROPOSAL

### CATEGORY 3-PRODUCT USAGE AND CONSUMPTION VALIDATION

#### 12. Approach and Methodology

Now that marijuana has become legal for recreational use, I would initiate a state wide survey asking about current usage or interest in using the product. This would provide a baseline level of percentage of citizens that will use the product. I would also survey for the average usage levels of the average consumer of the product. Using these numbers crossed with population on a county level, this would provide me a starting point to know how much demand needs to be met in each geographic area. I would refine this method and model as more information on usage becomes available.

## NON-COST PROPOSAL

### CATEGORY 4-PRODUCT REGULATION

#### 13. Ability, Capacity and skills

I have over ten years experience in the food industry working my way through management to a district manager position in which I managed over 230+ employees at any one time. In doing so I was responsible for putting into place and maintaining health code standards and regulations regarding preparation, packaging, labeling of food prepared and served by all 230+ employees. While in this role, I was never cited for a board of health violation.

I have attended law school and as a result am familiar with federal and state law. As a result I have experience in crafting regulations and adhering to regulations.

## NON-COST PROPOSAL

### CATEGORY 4-PRODUCT REGULATION

#### 14. Experience

I have over ten years experience in the food industry working my way through management to a district manager position in which I managed over 230+ employees at any one time. In doing so, I was responsible for putting into place and maintaining health code standards and regulations regarding preparation, packaging, labeling of food prepared and served by all 230+ employees. While in this role, I was never cited for a board of health violation.

I have attended law school and as a result am familiar with federal and state law. As a result, I have experience in crafting regulations and adhering to regulations.

## NON-COST PROPOSAL

### CATEGORY 4-PRODUCT REGULATION

#### 15. Staff qualifications and abilities

Melody Barrows, President and Member, will be the consultant for this contract and overseeing it in its entirety. As she deems necessary, she will hire those needed to assist her.

#### Individuals education:

AS in business Adm., Ivy Tech College, Indiana.

BS in Criminology, Indiana State University, Indiana.

Minor in plant and life sciences, Indiana State University, Indiana.

Minor in accounting and computer information systems, Ivy Tech College, Indiana.

MS in Criminology, Indiana State University, Indiana

Juris Doctorate-continuing, Thomas Cooley Law School, Michigan

Juris Doctorate-continuing, Cal-Southern University school of law, California

#### Experience/Significant accomplishment/Skills:

Over 10+ years in the food industry-responsible for state health code and regulations.

4+ years in retail owning/managing

## NON-COST PROPOSAL

### CATEGORY 4-PRODUCT REGULATION

#### 16. Approach and methodology

I would work with the Health Department, the WSLCB, and law enforcement in developing and incorporating a regulation strategy and rules for the State of Washington's new Marijuana system; thereby, insuring integration at all levels in the implementation of the new regulations; in order to insure compliance and success.

I believe the basis to begin would be an extensive overview of the program with the WSLCB in getting on the same page; to be frank, with all agencies that will be affected; while maintaining consumer safety and interest.

## COST PROPOSAL

The evaluation process is designed to award this procurement not necessarily to the Proposer of least cost, but rather to the Proposer whose proposal best meets the requirements of this RFP. However, Proposers are encouraged to submit proposals which are consistent with State government efforts to conserve state and federal resources.

**Instructions to Proposer:** Proposer shall complete either Table 1 or Table 2 below by entering their Not-to-Exceed (NTE) Hourly Rate or Not-to-Exceed Daily rate for Initiative 502 Consulting Services. For the purposes of this RFP, one day shall consist of a total of eight (8) hours.

Proposer is instructed to be familiar with the Initiative 502 language when preparing their response. A link to the I-502 document is located in Appendix B of the RFP for Proposer's convenience.

**Table 1: Hourly Rate**

Description	NTE Hourly Rate
Not-to-Exceed (NTE) <b>Hourly</b> Rate for I-502 Consulting Services as stated in this RFP	\$ _____ p/hour

**Table 2: Daily Rate**

Description	NTE Daily Rate
Not-to-Exceed (NTE) <b>Daily</b> Rate for I-502 Consulting Services as stated in this RFP	\$ <u>300</u> p/day <i>Three hundred and thirty dollars per day</i>

## Norton, Melissa K

---

**From:** Michael Harvey <michaelharvey@bevlink.net>  
**Posted At:** Friday, February 15, 2013 1:00 PM  
**Conversation:** RFP-K430, BevLink, LLC  
**Subject:** RFP-K430, BevLink, LLC

Mr. Farley,

We greatly appreciate the opportunity to submit the enclosed proposal. Please accept this email as submittal in response to the Request for Proposal posted by the Washington State Liquor Control Board for K430 Initiative 502 Consulting Services.

Thank you in advance for your consideration. Should you have any questions or require additional information, please do not hesitate to contact me at anytime.

Sincerely,

Michael Harvey  
President  
BevLink, LLC  
8620 Sorenson Avenue, Suite #7  
Santa Fe Springs, California 90670  
(714) 600-1185  
[MichaelHarvey@BevLink.net](mailto:MichaelHarvey@BevLink.net)



*3PL Provider dedicated to the Beverage Industry*

February 15, 2013

John Farley  
Procurement Coordinator  
Washington State Liquor Control Board  
3000 Pacific Avenue SE  
Olympia, WA 98402

**RE: Letter of Submittal to Request for Proposal  
K430 Initiative 502 Consulting Services  
Washington State Liquor Control Board**

Mr. Farley,

We greatly appreciate the opportunity to submit the enclosed proposal for your review. Please accept this letter as submittal in response to the Request for Proposal posted by the Washington State Liquor Control Board for K430 Initiative 502 Consulting Services.

Statement of which of the following Categories Proposer is responding to:

- Category 1: Product and Industry Knowledge
- Category 2: Product Quality Standards and Testing
- Category 3: Product Usage and Consumption Validation
- Category 4: Product Regulation

I have received and read the offer in detail and all other materials provided. Additionally, I agree to abide by the terms of the K430 RFP for consulting services as outlined by the Washington State Liquor Control Board to implement the rules and infrastructure for Initiative 502. I also agree to carry-out this proposal utilizing best practice guidelines and to personally oversee the conduct of this project.

As an experienced Operations Executive, I have extensive training in warehouse liquor distribution and logistics including the designing and building of projects from the ground-up. Having been in a leadership role for the majority of my career, I am the back-office guy, an operational guru with liquor compliance knowledge and industry insight. Through my work, I had that rare opportunity to work for the two largest alcohol distributors in California, peek under their hoods and gain first-hand knowledge of how they compete nationally. I can draw on my expertise with state and national liquor industry regulations, practices and infrastructure to devise the most effective strategic recommendations for Washington



February 15, 2013  
Letter of Submittal  
Page 2

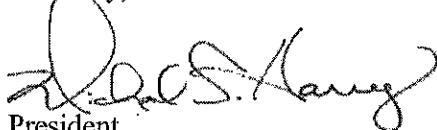
BevLink, LLC, was a Southern California based third-party logistics and value-added warehouse distributor for the liquor industry. All liquor licenses, carrier permits, bonds, etc were surrendered and not renewed while working for Young's Market Company. Though the last business transaction was in January of 2011 due to an industry conflict of interest, BevLink, LLC remains an active Corporation in the State of California.

As the sole member and President of BevLink, I will participate in an active exchange of information with the Washington State Liquor Control Board, and communicate any changes deviating from the approved document or protocol that have not had prior approval from the Board.

This proposal provides an optional fifteen days of in-house consulting services per month for a reasonable flat monthly fee which includes per diems and travel expenses. Please note that one-third of my proposed fee would be donated to the Dedicated Marijuana Fund for public safety and education programs in Washington.

Thank you in advance for your consideration. I hope you find my skills an invaluable asset to your project. Should you have any questions or require additional information, please do not hesitate to contact me at anytime.

Sincerely,



President  
BevLink, LLC  
8620 Sorenson Avenue, Suite #7  
Santa Fe Springs, California 90670  
(714) 600-1185  
MichaelHarvey@BevLink.net

**Contract Number K430**  
**For**  
**Initiative 502 Consulting Services**  
**Between the**  
**Washington State Liquor Control Board**  
**and**  
**BevLink, LLC**

This Contract is made and entered into by and between the Washington State Liquor Control Board, hereinafter referred to as the "WSLCB", and the below named Company, hereinafter referred to as "Contractor", for the purpose of providing Initiative 502 Consulting Services.

**BevLink, LLC**  
**Michael Harvey**  
**8620 Sorenson Avenue, Suite #7**  
**Santa Fe Springs, CA 90670**  
**Phone: (714) 600-1185**  
**Email: michaelharvey@bevlink.net**  
**Federal TIN PersonalInfo**  
**WA State UBI Number:**

**PURPOSE**

The purpose of this Contract is to enter into an agreement for Initiative 502 (I-502) Consulting Services, to assist the WSLCB with the implementation of the requirements of I-502.

**SCOPE OF WORK**

Exhibit A, attached hereto and incorporated by reference, contains the General Terms and Conditions governing the goods to be provided and services to be performed under this contract, the nature of the working relationship between the WSLCB and the Contractor, and specific obligations of both parties.

The Contractor will provide goods, services, and staff, and otherwise do all things necessary for or incidental to the performance of work, as included in the WSLCB'S Request for Proposals No. K430, attached as Exhibit B, and the Contractor's proposal dated February 15, 2013, attached as Exhibit C.

The Contractor shall:

Provide Consulting Services to the WSLCB which shall assist the agency with the implementation of I-502 requirements including, but not limited to, the following Categories of expertise:

➤ **Category 1: Product and Industry Knowledge**

Contractor shall be a product expert and have expert knowledge, including but not limited, to the following:

- a. How Marijuana is grown, cultivated, harvested, cured, and processed
- b. How Marijuana is infused into food and beverages
- c. How Marijuana should be packaged, labeled, transported, and sold at retail level
- d. How wholesale and retail product should be recalled and accounted for
- e. How Marijuana should be destroyed if over produced, contaminated, or recalled

Category 1 Deliverables:

Contractor shall provide the following:

1. Minimum standards relating to the growth, harvesting, transporting and sale of useable recreational Marijuana
2. Minimum standards for Product safety relating to the infusion of Marijuana or Marijuana byproducts in food, beverage, lotions, ointments or other Products to be sold in retail locations
3. Minimum standards for the tracking and reconciliation of Product grown, sold, and/or destroyed

➤ **Category 2: Product Quality Standards and Testing**

Contractor shall:

- a. Have expert knowledge of the infrastructure required to test Marijuana to ensure the following:
  - Product quality, content, and ingredients
  - Consumer safety
- b. Assist the WSLCB with establishing quality standards for testing
- c. Assist the WSLCB with establishing and implementing Industry testing standards and practices
- d. Be knowledgeable on methods to safely process product

Category 2 Deliverables:

Contractor shall provide the following:

1. Minimum standards allowed for testing and confirming Product safety from contaminants
2. Testing standards for Product testing of THC/CBD levels and ratios for Product offered
3. Labeling standards needed to meet the requirements as defined by law

➤ **Category 3: Product Usage and Consumption Validation**

Contractor shall:

- a. Have the expertise to estimate product usage and consumption levels by geographic areas in Washington State.

Category 3 Deliverables:

Contractor shall provide the following:

1. A report detailing recreational, medical and total Marijuana use in Washington State, by county
2. A projected volume of Marijuana needed on an annual basis to satisfy demand, and establish plant yield and growth volume assumptions needed to keep pricing at or below black market levels

➤ **Category 4: Product Regulation**

Contractor shall:

- a. Have a strong understanding of State, local or Federal government processes and procedures
- b. Assist the WSLCB in crafting Marijuana system regulations.

Category 4 Deliverables:

Contractor shall:

1. Conduct stakeholder focus groups for discussion and determination of best practice relating to the growth, harvesting, distribution, product infusion and sale of useable recreational Marijuana
2. Provide written independent third party assumptions, recommendations and oversight following guidelines established by the open government act

**General Requirements:**

Contractor will work in conjunction with the WSLCB project manager and any other identified WSLCB personnel to ensure that the services are provided in accordance with industry standards and best practices.

**PERIOD OF PERFORMANCE**

The period of performance under this contract shall be for two (2) years from the date of execution, with the option to extend for additional terms or portions thereof.

**COMPENSATION**

Total compensation for services rendered shall be as follows:

Item Description	Price
Hourly Not-To-Exceed (NTE) Amount	\$150 per hour plus expenses and per diem
Daily Not-To-Exceed (NTE) Amount	\$1,000 per day plus expenses and per diem
Monthly Not-To-Exceed (NTE) Amount	\$15,000 per month all-inclusive package including 1/3 of compensation package donated

**MICELLANEOUS EXPENSES**

The WSLCB may reimburse Contractor for travel and related expenses as identified in this Contract, or as authorized in writing, in advance by the WSLCB in accordance with the current rules and regulations set forth in the Washington State Administrative and Accounting Manual (<http://www.ofm.wa.gov/policy/default.asp>), and not to exceed expenses actually incurred. No payment of travel expenses will be made to Contractor for routine travel to and from the WSLCB's location. Contractor may be required to provide a detailed itemization of expenses, including description, amounts and dates, and receipts for amounts of fifty dollars (\$50) or more when requesting reimbursement.

**BILLING PROCEDURES AND PAYMENT**

The WSLCB will pay Contractor upon acceptance of goods and/or services provided and receipt of properly completed invoices, which should be submitted electronically to: [HQSupply@liq.wa.gov](mailto:HQSupply@liq.wa.gov).

If Contractor is unable to submit invoices electronically, invoices may be submitted by mail to:

Washington State Liquor Control Board  
Attn: Support Services  
PO Box 43090  
Olympia, WA 98504

Each invoice shall be identified with the following items:

- State INVOICE
- Identify the invoice number and date
- **Be identified by Contract Number K430**
- Identify Contractor's Statewide Vendor registration number assigned by Washington State Office of Financial Management (OFM)
- Be in U.S. dollars
- Identify the all applicable prompt payment discount and/or volume discount(s)
- Identify payee name and address in compliance with U.S. Postal regulations
- Describe and document, to the WSLCB'S satisfaction, a description of the goods provided and/or work performed, including dates
- Be accompanied by documentation that confirms that services were performed or products were received

The WSLCB may, in its sole discretion, terminate the contract or withhold payments claimed by the Contractor for goods and/or services rendered if the Contractor fails to satisfactorily comply with any term or condition of this contract.

No payments in advance or in anticipation of services or supplies to be provided under this contract shall be made by the WSLCB.

Payment shall be considered timely if made by the WSLCB within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the Contractor.

Payment for materials, supplies and/or equipment received and for services rendered shall be made by WSLCB and be redeemable in U.S. dollars. Any bank or transaction fees or similar costs associated with currency exchange procedures or the use of purchasing/credit cards shall be fully assumed by the Contractor.

In the event that the Contractor overcharges the WSLCB, checks shall be mailed with the hard copy credit memos PO BOX 43085 Olympia WA 98504.

**CONTRACT ADMINISTRATION**

All authorized communication regarding this contract shall occur between the Contractor's Authorized Representative or designee and the WSLCB Contract Administrator or designee.

Contractor's Authorized Representative	WSLCB Contract Administrator
Michael S. Harvey BevLink, LLC 8620 Sorenson Avenue, Suite #7 Santa Fe Springs, CA 90670 Phone : (714)600-1185 Email address: michaelharvey@bevlink.net	Name Washington State Liquor Control Board PO Box 43090 Olympia, WA 98504 Phone: (360) 664- Email address: Enter Email

**ORDER OF PRECEDENCE**

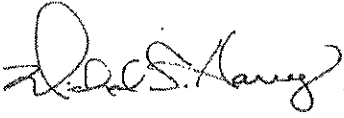
Each of the exhibits listed below is hereby incorporated into this contract. In the event of an inconsistency in this contract, the inconsistency shall be resolved by giving precedence in the following order:

1. Applicable federal and state of Washington statutes and regulations
2. Special terms and conditions as contained in this basic contract instrument
3. Exhibit A – General Terms and Conditions
4. Exhibit B – Request for Proposals No. K430
5. Exhibit C – Contractor's Proposal dated February 15, 2013
6. Any other provision, term or material incorporated herein by reference or otherwise incorporated

**APPROVAL**

The signatories to this Contract represent that they have the authority to bind their respective organizations to this Contract.

*In Witness Whereof*, the parties hereto, having read this Contract in its entirety, including all attachments, do agree in each and every particular and have thus set their hands hereunto.

For Contractor:		Project Manager for WSLCB:	
 2/15/13 <i>(Contractor Authorized Representative Signature) (Date)</i>		  <i>(Signature) (Date)</i>	
Contractor Name	BevLink, LLC	Agency Name	Washington State Liquor Control Board 3000 Pacific Ave SE Olympia, WA 98504
Print Name	Michael S. Harvey	Print Name	
Telephone No.	(714) 600-1185	Telephone No.	
Email	michaelharvey@bevlink.net	Email	
Authorizing WSLCB Contract Manager Approval			
Print Name		Date	
Signature		Email	
		Phone	

**EXHIBIT A -  
GENERAL TERMS AND CONDITIONS**

DEFINITIONS .....	10
ADMINISTRATIVE SUSPENSION .....	11
ADVANCE PAYMENTS PROHIBITED .....	11
ADVERTISING .....	11
ALTERNATIVE DISPUTE RESOLUTION FEES AND COSTS .....	11
AMENDMENTS .....	12
AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336, ALSO REFERRED TO AS THE "ADA" 28 CFR PART 35 .....	13
ANTITRUST .....	13
ASSIGNMENT .....	13
ASSURANCES .....	13
ATTORNEYS' FEES .....	13
CHANGES .....	13
COMMENCEMENT OF WORK .....	13
CONFIDENTIALITY/SAFEGUARDING OF INFORMATION .....	13
CONFLICT .....	14
CONFLICT OF INTEREST .....	14
CONFORMITY .....	14
CONTRACTOR COMMITMENTS, WARRANTIES AND REPRESENTATIONS .....	14
COST OF REMEDY .....	14
COVENANT AGAINST CONTINGENT FEES .....	14
DETERMINATION OF STANDARD OF QUALITY/CONSISTENCY OVER TERM OF CONTRACT .....	15
DISALLOWED COSTS .....	15
DISPUTES .....	15
ENTIRE AGREEMENT .....	15
EQUIPMENT DEMONSTRATION COMPLIANCE INSPECTIONS .....	14
ESTABLISHED BUSINESS .....	15
FORCE MAJEURE .....	15
GIFTS AND GRATUITIES .....	15
GOVERNING LAW .....	15
INCORPORATED DOCUMENTS .....	16
INDEMNIFICATION .....	16
IDENTIFICATION .....	16
INDEPENDENT CAPACITY OF THE CONTRACTOR .....	16
INDUSTRIAL INSURANCE COVERAGE .....	16
INSPECTION AND REJECTION .....	17
INSURANCE .....	17
LEGAL NOTICES .....	19
LICENSING, ACCREDITATION AND REGISTRATION .....	19
LIENS, CLAIMS AND ENCUMBRANCES .....	19
LIMITATION OF AUTHORITY .....	20
LIMITATION OF LIABILITY .....	20
LIQUIDATED DAMAGES .....	20
MATERIALS AND WORKMANSHIP .....	21
MATERIAL BREACH .....	21
NO ADDITIONAL CHARGES .....	21
NONCOMPLIANCE WITH NONDISCRIMINATION LAWS .....	22
NONDISCRIMINATION .....	22
NON-EXCLUSIVE REMEDIES .....	22
OPPORTUNITY TO CURE .....	22
ORDER FULFILLMENT REQUIREMENTS .....	<b>ERROR! BOOKMARK NOT DEFINED.</b>
OSHA AND WISHA REQUIREMENTS .....	22
OVERPAYMENTS TO CONTRACTOR .....	24
PERSONAL LIABILITY .....	24

PRICE INCREASES .....	25
PRICE PROTECTION .....	25
PRIVACY .....	25
PROBLEM RESOLUTION AND DISPUTES .....	25
PUBLICITY .....	25
RECORDS MAINTENANCE .....	25
REGISTRATION WITH DEPARTMENT OF REVENUE .....	25
RETENTION OF RECORDS .....	26
RIGHT OF INSPECTION .....	26
SAVINGS .....	26
SERVICE EXPECTATIONS .....	26
SEVERABILITY .....	26
SHIPPING AND RISK OF LOSS .....	26
SITE SECURITY .....	26
STATEWIDE VENDOR PAYMENT REGISTRATION .....	26
SUBCONTRACTING .....	26
SUPERVISION AND COORDINATION .....	27
SURVIVORSHIP .....	27
TAXES, FEES AND LICENSES .....	27
TERMINATION BY MUTUAL AGREEMENT .....	28
TERMINATION FOR CAUSE .....	28
TERMINATION FOR CONFLICT OF INTEREST .....	29
TERMINATION FOR CONVENIENCE .....	29
TERMINATION FOR NON-ALLOCATION OF FUNDS .....	29
TERMINATION FOR WITHDRAWAL OF AUTHORITY .....	29
TERMINATION PROCEDURES .....	30
TITLE TO PRODUCT .....	30
TREATMENT OF ASSETS .....	30
WAIVER .....	31
WARRANTIES .....	31
EXHIBIT B: WSLCB's RFP K430 FOR CONSULTING SERVICES .....	32
PROPOSER'S AUTHORIZED OFFICER .....	33
PROPOSER'S INFORMATION .....	39
SUBCONTRACTOR INFORMATION .....	35
SUBCONTRACTOR LETTER OF SUBMITTAL .....	39
EXHIBIT C: CONTRACTOR'S NON-COST PROPOSAL .....	39
CATEGORY 1 – PRODUCT AND INDUSTRY KNOWLEDGE .....	39
- ABILITY, CAPACITY, AND SKILLS .....	38
- EXPERIENCE .....	41
- TEAM STRUCTURE AND INTERNAL CONTROLS .....	42
- STAFF QUALIFICATIONS AND CAPABILITIES .....	43
CATEGORY 2 – PRODUCT QUALITY STANDARDS AND TESTING .....	45
- ABILITY, CAPACITY, AND SKILLS .....	45
- EXPERIENCE .....	45
- STAFF QUALIFICATIONS .....	46
- APPROACH AND METHODOLOGY .....	47
CATEGORY 3 – PRODUCT USAGE AND CONSUMPTION VALIDATION .....	49
- ABILITY, CAPACITY, AND SKILLS .....	49
- EXPERIENCE .....	50
- STAFF QUALIFICATIONS .....	51
- APPROACH AND METHODOLOGY .....	52
CATEGORY 4 .....	54
- ABILITY, CAPACITY, AND SKILLS .....	54
- EXPERIENCE .....	55
- STAFF QUALIFICATIONS .....	57
- APPROACH AND METHODOLOGY .....	58
EXHIBIT D: CONTRACTOR'S COST PROPOSAL .....	59





## 1.1 DEFINITIONS

As used throughout this contract, the following terms shall have the meaning set forth below:

- A. "Acceptance" -- The materials, supplies, services, and/or equipment have passed appropriate inspection. In the event that there is a formal Acceptance Testing period required in the Solicitation document then acceptance is formalized in writing. If there is no Acceptance Testing, acceptance may occur when the Products are delivered and inspected.
- B. "Acceptance Testing" -- The process for ascertaining that the materials, supplies, services, and/or equipment meets the standards set forth in the Solicitation, prior to Acceptance by the WSLCB.
- C. "WSLCB" -- shall mean the Liquor Control Board of the State of Washington, any division, section, office, unit or other entity of the WSLCB, or any of the officers or other officials lawfully representing that WSLCB.
- D. "Agent" -- shall mean the Director, and/or the representative authorized in writing to act on the Director's behalf, or Contractor's authorized representative acting on behalf of the Contractor.
- E. "Amendment" -- For the purposes of this Contract, shall mean an agreement between the parties to change this Contract after it is fully signed by both parties. Such agreement shall be memorialized in a written document describing the agreed upon change including any terms and conditions required to support such change. An Order Document shall not constitute an Amendment to this Contract.
- F. "Business Days" -- Monday through Friday, 8:00 a.m. to 5:00 p.m., Pacific Time, except for holidays observed by the state of Washington.
- G. "Calendar Days" -- Consecutive days of the year including weekends and holidays, each of which commence at 12:00:01 a.m. and end at Midnight, Pacific Time. When "days" are not specified, Calendar Days shall prevail.
- H. "Contract" -- An agreement, or mutual assent, between two or more competent parties with the elements of the agreement being offer, acceptance, consideration, and legal binding.
- I. "Contract Administrator" -- The primary contact for the WSLCB regarding this contract.
- J. "Contractor" -- shall mean that firm, provider, organization, individual or other entity providing goods and or service(s) under this contract, and shall include all employees of the Contractor.
- K. "Contractor's Authorized Representative" -- An individual or agent designated by the Contractor to act on its behalf and with the authority to legally bind the Contractor concerning the terms and conditions set forth in Solicitation and Contract documents.
- L. "Inspection" -- An examination of delivered material, supplies, services, and/or equipment prior to Acceptance aimed at forming a judgment as to whether such delivered items are what was ordered, were properly delivered and ready for Acceptance. Inspection may include a high level visual examination or a more thorough detailed examination as is customary to the type of purchase, as set forth in the solicitation document and/or as agreed between the parties. Inspection shall be acknowledged by an authorized signature of the WSLCB.
- M. "Invitation For Bids" (IFB) -- The form utilized to solicit Bids in the formal, sealed Bid procedure and any amendments thereto issued in writing by the WSLCB. Specifications and qualifications are clearly defined.

- N. "Lead Time/After Receipt of Order (ARO)" -- The period of time between when the Contractor receives the order and the WSLCB receives the materials, supplies, equipment, or services order.
- O. "Order Document" -- A written communication, submitted by the WSLCB to the Contractor, which details the specific transactional elements required by the WSLCB within the scope of this Contract such as delivery date, size, color, capacity, etc. An Order Document may include, but is not limited to purchase orders, work order or other writings as may be designated by the parties hereto. No additional or alternate terms and conditions on such written communication shall apply unless authorized by this Contract and expressly agreed between the WSLCB and the Contractor.
- P. "Proposal" -- A written offer to perform a Contract to supply materials, supplies, services, and/or equipment in response to a Request for Proposal (RFP).
- Q. "Request for Proposals (RFP)" -- The form utilized to solicit Proposals in the formal, sealed Bid procedure and any amendments thereto issued in writing by the WSLCB. The specifications and qualification requirements are written in an outcome based form allowing for consideration of a broad range of different solutions to meet the procurement need.
- R. "Subcontractor" -- shall mean one not in the employment of the Contractor, who is performing all or part of those services under this contract under a separate contract with the Contractor.

#### **1.2 ADMINISTRATIVE SUSPENSION**

When in the best interest of the WSLCB, the WSLCB may at any time, and without cause, suspend the Contract or any portion thereof for a period of not more than thirty (30) calendar days per event by written notice from the Contract Administrator to the Contractor's Representative. Contractor shall resume performance on the next business day following the 30<sup>th</sup> day of suspension unless an earlier resumption date is specified in the notice of suspension. If no resumption date was specified in the notice of suspension, the Contractor can be demanded and required to resume performance within the thirty (30) day suspension period by the Contract Administrator providing the Contractor's Representative with written notice of such demand.

#### **1.3 ADVANCE PAYMENTS PROHIBITED**

No payments in advance of or in anticipation of goods or services to be provided under this contract shall be made by the WSLCB.

#### **1.4 ADVERTISING**

Contractor shall not publish or use any information concerning this Contract in any format or media for advertising or publicity without prior written consent from the Contract Administrator.

#### **1.5 ALTERNATIVE DISPUTE RESOLUTION FEES AND COSTS**

In the event that the parties engage in arbitration, mediation or any other alternative dispute resolution forum to resolve a dispute in lieu of litigation, both parties shall share equally in the cost of the alternative dispute resolution method, including cost of mediator or arbitrator. In addition, each party shall be responsible for its own attorneys' fees incurred as a result of the alternative dispute resolution method.

**1.6 AMENDMENTS**

This contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

**1.7 AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, PUBLIC LAW 101-336, ALSO REFERRED TO AS THE "ADA" 28 CFR PART 35**

The Contractor must comply with the ADA, which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

**1.8 ANTITRUST**

The WSLCB maintains that, in actual practice, overcharges resulting from antitrust violations are borne by the WSLCB. Therefore, the Contractor hereby assigns to the WSLCB any and all of the Contractor's claims for such price fixing or overcharges which arise under federal or state antitrust laws, relating to the materials, supplies, services and/or equipment purchased under this Contract.

**1.9 ASSIGNMENT**

Neither this contract, nor any claim arising under this contract, shall be transferred or assigned by the Contractor without prior written consent of the WSLCB.

**1.10 ASSURANCES**

The WSLCB and the Contractor agree that all activity pursuant to this contract will be in accordance with all the applicable current federal, state and local laws, rules, and regulations.

**1.11 ATTORNEYS' FEES**

In the event of litigation or other action brought to enforce contract terms, each party agrees to bear its own attorney fees and costs.

**1.12 CHANGES**

The WSLCB reserves the right to modify this Contract by mutual agreement between the WSLCB and the Contractor, so long as such modification is substantially within the scope of the original Contract.

Alterations to any of the terms, conditions, or requirements of this Contract shall only be effective upon written issuance of a mutually agreed Contract Amendment by the Contract Administrator.

**1.13 COMMENCEMENT OF WORK**

No work shall be performed by Contractor until this Contract is executed by the Contractor and the WSLCB and is received by the Contractor.

**1.14 CONFIDENTIALITY/SAFEGUARDING OF INFORMATION**

The Contractor shall not use or disclose any information concerning the WSLCB, or information that may be classified as confidential, for any purpose not directly connected with the administration of this contract, except with prior written consent of the WSLCB, or as may be required by law.

**1.15 CONFLICT**

To the extent possible, the terms of this Contract shall be read consistently.

**1.16 CONFLICT OF INTEREST**

Notwithstanding any determination by the Executive Ethics Board or other tribunal, the WSLCB may, in its sole discretion, by written notice to the Contractor terminate this contract if it is found after due notice and examination by the Agent that there is a violation of the Ethics in Public Service Act, Chapter 42.52 RCW; or any similar statute involving the Contractor in the procurement of, or performance under this contract.

In the event this contract is terminated as provided above, the WSLCB shall be entitled to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor. The rights and remedies of the WSLCB provided for in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law. The existence of facts upon which the Agent makes any determination under this clause shall be an issue and may be reviewed as provided in the "Disputes" clause of this contract.

**1.17 CONFORMITY**

If any provision of this Contract violates any Federal or State of Washington statute or rule of law, it is considered modified to conform to that statute or rule of law.

**1.18 CONTRACTOR COMMITMENTS, WARRANTIES AND REPRESENTATIONS**

Any written commitment by Contractor within the scope of this Contract shall be binding upon Contractor. Failure of Contractor to fulfill such a commitment may constitute breach and shall render Contractor liable for damages under the terms of this Contract. For purposes of this section, a commitment by Contractor includes: (i) Prices, discounts, and options committed to remain in force over a specified period of time; and (ii) any warranty or representation made by Contractor in its Response or contained in any Contractor or manufacturer publications, written materials, schedules, charts, diagrams, tables, descriptions, other written representations, and any other communication medium accompanying or referred to in its Response or used to effect the sale to WSLCB.

**1.19 COST OF REMEDY**

Cost of Remedying Defects: All defects, indirect and consequential costs of correcting, removing or replacing any or all of the defective materials or equipment will be charged against the Contractor.

**1.20 COVENANT AGAINST CONTINGENT FEES**

The Contractor warrants that no person or selling agent has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established agents maintained by the Contractor for securing business.

The WSLCB shall have the right, in the event of breach of this clause by the Contractor, to annul this contract without liability or, in its discretion, to deduct from the contract price or consideration or recover by other means the full amount of such commission, percentage, brokerage or contingent fee.

**1.21 DETERMINATION OF STANDARD OF QUALITY/CONSISTENCY OVER TERM OF CONTRACT**

If, in the sole judgment of the WSLCB, any item is determined not to be an equal, the WSLCB may take any or all of the following actions:

1. the product may be returned at Contractor's expense;
2. the contract may be terminated without any liability to the WSLCB

**1.22 DISALLOWED COSTS**

The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its Subcontractors.

**1.23 DISPUTES**

Except as otherwise provided in this contract, when a dispute arises between the parties and it cannot be resolved by direct negotiation, either party may request a dispute hearing with Agent.

1. The request for a dispute hearing must:
  - Be in writing;
  - State the disputed issue(s);
  - State the relative positions of the parties;
  - State the Contractor's name, address, and contract number; and
  - Be mailed to the Agent and the other party's (respondent's) Contract Administrator within three (3) working calendar days after the parties agree that they cannot resolve the dispute.
2. The respondent shall send a written answer to the requester's statement to both the agent and the requester within five (5) working calendar days.
3. The Agent shall review the written statements and reply in writing to both parties within ten (10) working days. The Agent may extend this period if necessary by notifying the parties.
4. The parties agree that this dispute process shall precede any action in a judicial or quasi-judicial tribunal.

Nothing in this contract shall be construed to limit the parties' choice of a mutually acceptable dispute resolution method in addition to the dispute resolution procedure outlined above.

**1.24 ENTIRE AGREEMENT**

This Contract document and all subsequently issued amendments comprise the entire agreement between the WSLCB and the Contractor. No other statements or representations, written or oral, shall be deemed a part of the Contract.

This Contract sets forth the entire agreement between the parties with respect to the subject matter hereof and except as provided in the section titled **Contractor Commitments, Warranties and Representations**, understandings, agreements, representations, or warranties not contained in this Contract or a written amendment hereto shall not be binding on either party. Except as provided herein, no alteration of any of the terms, conditions, delivery, price, quality, or specifications of this Contract will be effective without the written consent of both parties.

### 1.25 *ESTABLISHED BUSINESS*

Prior to commencing performance, or prior to that time if required by the WSLCB, law or regulation, Contractor must be an established business firm with all required licenses, fees, bonding, facilities, equipment and trained personnel necessary to meet all requirements and perform the work as specified in the Solicitation. Contractor shall maintain compliance with these requirements throughout the entire term of this contract.

The WSLCB the right to require receipt of proof of compliance with said requirements within ten (10) calendar days from the date of request, and to terminate this Contract as a material breach for noncompliance with any requirement of this paragraph.

### 1.26 *FORCE MAJEURE*

The term "force majeure" means an occurrence that causes a delay that is beyond the control of the party affected and could not have been avoided by exercising reasonable diligence. Force majeure shall include acts of God, war, riots, strikes, fire, floods, epidemics, or other similar occurrences.

Exceptions: Except for payment of sums due, neither party shall be liable to the other or deemed in breach under this Contract if, and to the extent that, such party's performance of this Contract is prevented by reason of force majeure.

Notification: If either party is delayed by force majeure, said party shall provide written notification within forty-eight (48) hours. The notification shall provide evidence of the force majeure to the satisfaction of the other party. Such delay shall cease as soon as practicable and written notification of same shall likewise be provided. So far as consistent with the Rights Reserved below, the time of completion shall be extended by Contract amendment for a period of time equal to the time that the results or effects of such delay prevented the delayed party from performing in accordance with this Contract.

Rights Reserved: The WSLCB reserves the right to authorize an amendment to this Contract, terminate the Contract, and/or purchase materials, supplies, equipment and/or services from the best available source during the time of force majeure, and Contractor shall have no recourse against the WSLCB.

### 1.27 *GIFTS AND GRATUITIES*

Contractor shall comply with all state laws regarding gifts and gratuities, including but not limited to: RCW 39.26.020, RCW 42.52.150, RCW 42.52.160, and RCW 42.52.170 under which it is unlawful for any person to directly or indirectly offer, give or accept gifts, gratuities, loans, trips, favors, special discounts, services, or anything of economic value in conjunction with state business or contract activities.

Under RCW 39.26.020 and the Ethics in Public Service Law, Chapter 42.52 RCW state officers and employees are prohibited from receiving, accepting, taking or seeking gifts (except as permitted by RCW 42.52.150) if the officer or employee participates in contractual matters relating to the purchase of goods or services.

### 1.28 *GOVERNING LAW*

This contract shall be construed and interpreted in accordance with the laws of the State of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

### **1.29 INCORPORATED DOCUMENTS**

Each of the documents listed below is, by this reference, incorporated into this Contract as though fully set forth herein.

1. WSLCB RFP K430 with all attachments and exhibits, and all amendments thereto
2. Contractor's response to RFP K430 dated date;
3. The terms and conditions contained on WSLCB's Order Documents, if used; and
4. All Contractor or manufacturer publications, written materials and schedules, charts, diagrams, tables, descriptions, other written representations and any other supporting materials Contractor made available to WSLCB and used to affect the sale of the Product to the WSLCB.

### **1.30 INDEMNIFICATION**

To the fullest extent permitted by law, Contractor shall indemnify, defend, and hold harmless the WSLCB and all officials, agents and employees of the WSLCB, from and against all claims for injuries or death arising out of or resulting from the performance of the contract. "Claim," as used in this contract, means any financial loss, claim, suit, action, damage, or expense, including but not limited to attorney's fees, attributable for bodily injury, sickness, disease, or death, or injury to or destruction of tangible property including loss of use resulting there from.

Contractor's obligations to indemnify, defend, and hold harmless includes any claim by Contractor's agents, employees, representatives, or any Subcontractor or its employees.

Contractor expressly agrees to indemnify, defend, and hold harmless the WSLCB for any claim arising out of or incident to Contractor's or any Subcontractor's performance or failure to perform the contract. Contractor's obligation to indemnify, defend, and hold harmless the WSLCB shall not be eliminated or reduced by any actual or alleged concurrent negligence of WSLCB or its agents, agencies, employees and officials.

Contractor waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend and hold harmless WSLCB and its agencies, officials, agents or employees.

### **1.31 IDENTIFICATION**

All invoices, packing lists, packages, instruction manuals, correspondence, shipping notices, shipping containers, and other written materials associated with this Contract shall be identified by the Contract number. Packing lists shall be enclosed with each shipment and clearly identify all contents and any backorders.

### **1.32 INDEPENDENT CAPACITY OF THE CONTRACTOR**

The parties intend that an independent Contractor relationship will be created by this contract. The Contractor and his or her employees or agents performing under this contract are not employees or agents of the WSLCB. The Contractor will not hold himself/herself out as or claim to be an officer or employee of the WSLCB or of the State of Washington by reason hereof, nor will the Contractor make any claim of right, privilege or benefit that would accrue to such employee under law. Conduct and control of the work will be solely with the Contractor.

### **1.33 INDUSTRIAL INSURANCE COVERAGE**

The Contractor shall comply with the provisions of Title 51 RCW, Industrial Insurance. If the Contractor fails to provide industrial insurance coverage or fails to pay premiums or penalties on behalf of its employees, as may be required by law, WSLCB may collect from the Contractor the



full amount payable to the Industrial Insurance accident fund. The WSLCB may deduct the amount owed by the Contractor to the accident fund from the amount payable to the Contractor by the WSLCB under this contract, and transmit the deducted amount to the Department of Labor and Industries, (L&I) Division of Insurance Services. This provision does not waive any of L&I's rights to collect from the Contractor.

#### 1.34 *INSPECTION AND REJECTION*

The WSLCB's inspection of all materials, supplies and equipment upon delivery is for the purpose of forming a judgment as to whether such delivered items are what was ordered, were properly delivered and ready for Acceptance. Such inspection shall not be construed as final acceptance, or as acceptance of the materials, supplies or equipment, if the materials, supplies or equipment does not conform to contractual requirements. If there are any apparent defects in the materials, supplies, or equipment at the time of delivery, the WSLCB will promptly notify the Contractor. Without limiting any other rights, the WSLCB may require the Contractor to: (1) repair or replace, at Contractor's expense, any or all of the damaged goods; (2) refund the price of any or all of the damaged goods; or (3) accept the return of any or all of the damaged goods.

#### 1.35 *INSURANCE*

The Contractor shall provide insurance coverage as set out in this section. The intent of the required insurance is to protect the WSLCB should there be any claims, suits, actions, costs, damages or expenses arising from any negligent or intentional act or omission of the Contractor or Subcontractor, or agents of either, while performing under the terms of this contract.

Contractor shall, at their own expense, obtain and keep in force insurance as follows until completion of the Contract. Within fifteen (15) calendar days of receipt of notice of award, the Contractor shall furnish evidence in the form of a certificate of insurance satisfactory to the WSLCB that insurance, in the following kinds and minimum amounts, has been secured. Failure to provide proof of insurance, as required, may result in Contract cancellation.

Contractor shall include all Subcontractors as insureds under all required insurance policies, or shall furnish separate Certificates of Insurance and endorsements for each Subcontractor. Subcontractor(s) must comply fully with all insurance requirements stated herein. Failure of Subcontractor(s) to comply with insurance requirements does not limit Contractor's liability or responsibility.

All insurance provided in compliance with this Contract shall be primary as to any other insurance or self-insurance programs afforded to or maintained by the state.

Specific Requirements:

Employers Liability (Stop Gap): The Contractor will at all times comply with all applicable workers' compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable and will maintain Employers Liability insurance with a limit of no less than \$1,000,000.00. The WSLCB will not be held responsible in any way for claims filed by the Contractor or their employees for services performed under the terms of this Contract.

Commercial General Liability Insurance: The Contractor shall at all times during the term of this Contract, carry and maintain commercial general liability insurance and if necessary, commercial umbrella insurance for bodily injury and property damage arising out of services provided under this Contract. This insurance shall cover such claims as may be caused by any act, omission, or negligence of the Contractor or its officers, agents, representatives, assigns, or servants.

The insurance shall also cover bodily injury, including disease, illness and death, and property damage arising out of the Contractor's premises/operations, independent Contractors,

products/completed operations, personal injury and advertising injury, and contractual liability (including the tort liability of another assumed in a business Contract), and contain separation of insured's (cross liability) conditions.

Contractor waives all rights against the WSLCB for the recovery of damages to the extent they are covered by general liability or umbrella insurance.

The limits of liability insurance shall not be less than as follows:

General Aggregate Limits (other than products-completed operations)	\$2,000,000
Products-Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury Aggregate	\$1,000,000
Each Occurrence (applies to all of the above)	\$1,000,000
Fire Damage Limit (per occurrence)	\$ 50,000
Medical Expense Limit (any one person)	\$ 5,000

Business Auto Policy (BAP): In the event that services delivered pursuant to this Contract involve the use of vehicles, or the transportation of clients, automobile liability insurance shall be required. The coverage provided shall protect against claims for bodily injury, including illness, disease, and death; and property damage caused by an occurrence arising out of or in consequence of the performance of this service by the Contractor, Subcontractor, or anyone employed by either.

Contractor shall maintain business auto liability and, if necessary, commercial umbrella liability insurance with a combined single limit not less than \$1,000,000 per occurrence. The business auto liability shall include Hired and Non-Owned coverage.

Contractor waives all rights against the WSLCB for the recovery of damages to the extent they are covered by business auto liability or commercial umbrella liability insurance.

Additional Insurance Provisions: All above insurance policies shall include, but not be limited to, the following provisions:

Additional Insured: The WSLCB shall be named as an additional insured on all general liability, umbrella, excess, and property insurance policies. All policies shall be primary over any other valid and collectable insurance.

Notice of Policy(ies) Cancellation/Non-renewal: For insurers subject to Chapter 48.18 RCW (Admitted and regulated by the Washington State Insurance Commissioner) a written notice shall be given to the Contract Administrator forty-five (45) calendar days prior to cancellation or any material change to the policy(ies) as it relates to this Contract. Written notice shall include the affected Contract reference number.

Surplus Lines: For insurers subject to Chapter 48.15 RCW (Surplus Lines) a written notice shall be given to the Contract Administrator twenty (20) calendar days prior to cancellation or any material change to the policy(ies) as it relates to this Contract. Written notice shall include the affected Contract reference number.

Cancellation for Non-payment to Premium: If cancellation on any policy is due to non-payment of premium, a written notice shall be given the Contract Administrator ten (10) calendar days prior to cancellation. Written notice shall include the affected Contract reference number.

Identification: Policy(ies) and Certificates of Insurance shall include the affected Contract reference number.

Insurance Carrier Rating: The insurance required above shall be issued by an insurance company authorized to do business within the State of Washington. Insurance is to be placed with a carrier that has a rating of A- Class VII or better in the most recently published edition of Best's Reports. Any exception must be reviewed and approved by the Risk Manager for the State of Washington, by submitting a copy of the Contract and evidence of insurance before Contract commencement. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with Chapter 48.15 RCW and Chapter 284-15 WAC .

Excess Coverage: The limits of all insurance required to be provided by the Contractor shall be no less than the minimum amounts specified. However, coverage in the amounts of these minimum limits shall not be construed to relieve the Contractor from liability in excess of such limits.

Limit Adjustments: The WSLCB reserves the right to increase or decrease limits as appropriate.

### **1.36 LEGAL NOTICES**

Any notice or demand or other communication required or permitted to be given under this Contract or applicable law (except notice of malfunctioning Equipment) shall be effective only if it is in writing and signed by the applicable party, properly addressed, and either delivered in person, or by a recognized courier service, or deposited with the United States Postal Service as first-class mail, postage prepaid [certified mail, return receipt requested, via facsimile or by electronic mail], to the Contract Administrator [and fax numbers, e-mail addresses] provided in this Contract. For purposes of complying with any provision in this Contract or applicable law that requires a "writing," such communication, when digitally signed with a Washington State Licensed Certificate, shall be considered to be "in writing" or "written" to an extent no less than if it were in paper form.

Notices shall be effective upon receipt or four (4) Business Days after mailing, whichever is earlier. The notice address as provided herein may be changed by written notice given as provided above.

In the event that a subpoena or other legal process commenced by a third party in any way concerning the Equipment or Services provided pursuant to this Contract is served upon Contractor or WSLCB, such party agrees to notify the other party in the most expeditious fashion possible following receipt of such subpoena or other legal process. Contractor and WSLCB further agree to cooperate with the other party in any lawful effort by the other party to contest the legal validity of such subpoena or other legal process commenced by a third party.

### **1.37 LICENSING, ACCREDITATION AND REGISTRATION**

The Contractor shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements/standards, necessary for the performance of this contract.

### **1.38 LIENS, CLAIMS AND ENCUMBRANCES**

All materials, equipment, supplies and/or services shall be free of all liens, claims, or encumbrances of any kind, and if the WSLCB requests, a formal release of same shall be delivered.

### **1.39 LIMITATION OF AUTHORITY**

Only the Agent or Agent's delegate by writing (delegation to be made prior to action) shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clause or condition of this contract. Furthermore, any alteration, amendment, modification, or waiver or any clause or condition of this contract is not effective or binding unless made in writing and signed by both parties.

### **1.40 LIMITATION OF LIABILITY**

The parties agree that neither Contractor or the WSLCB shall be liable to each other, regardless of the form of action, for consequential, incidental, indirect, or special damages except a claim related to bodily injury or death, or a claim or demand based on patent, copyright, or other intellectual property right infringement, in which case liability shall be as set forth elsewhere in this Contract. This section does not modify any sections regarding liquidated damages or any other conditions as are elsewhere agreed to herein between the parties. The damages specified in the sections titled Termination for Default and Retention of Records are not consequential, incidental, indirect, or special damages as that term is used in this section.

Neither the Contractor nor the WSLCB shall be liable for damages arising from causes beyond the reasonable control and without the fault or negligence of the Contractor or the WSLCB. Such causes may include, but are not restricted to, acts of God or of the public enemy, acts of a governmental body other than the WSLCB acting in either its sovereign or contractual capacity, war, explosions, fires, floods, earthquakes, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather; but in every case the delays must be beyond the reasonable control and without fault or negligence of the Contractor, the WSLCB, or their respective Subcontractors.

If delays are caused by a Subcontractor without its fault or negligence, Contractor shall not be liable for damages for such delays, unless the Services to be performed were obtainable on comparable terms from other sources in sufficient time to permit Contractor to meet its required performance schedule.

Neither party shall be liable for personal injury to the other party or damage to the other party's property except personal injury or damage to property proximately caused by such party's respective fault or negligence.

### **1.41 LIQUIDATED DAMAGES**

Any delay by Contractor in meeting the Delivery Date, Installation Date, maintenance or repair date, or other applicable date set forth under this Contract will interfere with the proper implementation of WSLCB's programs and will result in loss and damage to WSLCB.

As it would be impracticable to fix the actual damage sustained in the event of any such failure(s) to perform, WSLCB and Contractor agree that in the event of any such failure(s) to perform, the amount of damage which will be sustained will be the amount set forth in the following subsections and the parties agree that Contractor shall pay such amounts as liquidated damages and not as a penalty.

Liquidated damages provided under the terms of this Contract are subject to the same limitations as provided in the section titled Limitation of Liability.

If Contractor's maintenance personnel fail to arrive at WSLCB's site within [insert agreed upon time period] after notification by WSLCB that maintenance is required, Contractor shall pay to WSLCB as fixed and agreed liquidated damages, in lieu of all other damages due to such non-responsiveness, for each hour between the agreed response time and the actual response time an

amount of dollars agreed upon per hour for each "late" hour or part thereof (prorated) beginning with the time of notification by WSLCB and ending with the time that Contractor's maintenance personnel arrive at the WSLCB Distribution Center.

#### 1.42 **MATERIALS AND WORKMANSHIP**

The Contractor shall be required to furnish all materials, supplies, equipment and/or services necessary to perform Contractual requirements. Materials, supplies and workmanship used in the construction of equipment for this Contract shall conform to all applicable federal, state, and local codes, regulations and requirements for such equipment, specifications contained herein, and the normal uses for which intended. Materials, supplies and equipment shall be manufactured in accordance with the best commercial practices and standards for this type of materials, supplies, and equipment.

#### 1.43 **MATERIAL BREACH**

A Contractor may be Terminated for Cause by the WSLCB, at the sole discretion of the Contract Administrator, for failing to perform a contractual requirement or for a material breach of any term or condition. Material breach of a term or condition of the Contract may include but is not limited to:

1. *Contractor failure to perform services or deliver materials, supplies, or equipment by the date required or by an alternate date as mutually agreed in a written amendment to the Contract;*
2. *Contractor failure to carry out any warranty or fails to perform or comply with any mandatory provision of the contract;*
3. *Contractor becomes insolvent or in an unsound financial condition so as to endanger performance hereunder;*
4. *Contractor becomes the subject of any proceeding under any law relating to bankruptcy, insolvency or reorganization, or relief from creditors and/or debtors that endangers the Contractor's proper performance hereunder;*
5. *Appointment of any receiver, trustee, or similar official for Contractor or any of the Contractor's property and such appointment endangers the Contractor's proper performance hereunder;*
6. *A determination that the Contractor is in violation of federal, state, or local laws or regulations and that such determination renders the Contractor unable to perform any aspect of the Contract.*

#### 1.44 **NO ADDITIONAL CHARGES**

Unless otherwise specified in the Solicitation no additional charges by the Contractor will be allowed including, but not limited to; handling charges such as packing, wrapping, bags, containers, reels; or the processing fees associated with the use of credit cards. Notwithstanding the foregoing, in the event that market conditions, laws, regulations or other unforeseen factors dictate, at the Contract Administrators sole discretion, additional charges may be allowed.

**1.45 NONCOMPLIANCE WITH NONDISCRIMINATION LAWS**

In the event of the Contractor's non-compliance or refusal to comply with any nondiscrimination law, regulation, or policy, this contract may be rescinded, canceled or terminated in whole or in part, and the Contractor may be declared ineligible for further contracts with the WSLCB. The Contractor shall, however, be given a reasonable time in which to cure this noncompliance. Any dispute may be resolved in accordance with the "Disputes" procedure set forth herein.

**1.46 NONDISCRIMINATION**

During the performance of this contract, the Contractor shall comply with all federal and state nondiscrimination laws, regulations and policies.

**1.47 NON-EXCLUSIVE REMEDIES**

The remedies provided for in this Contract shall not be exclusive but are in addition to all other remedies available under law.

**1.48 OPPORTUNITY TO CURE**

In the event that Contractor fails to perform a contractual requirement or materially breaches any term or condition, the WSLCB may issue a written cure notice. The Contractor may have a period of time in which to cure. The WSLCB is not required to allow the Contractor to cure defects if the opportunity for cure is not feasible as determined solely within the discretion of the WSLCB. Time allowed for cure shall not diminish or eliminate Contractor's liability for liquidated or other damages, or otherwise affects any other remedies available against Contractor under the Contract or by law.

If the breach remains after Contractor has been provided the opportunity to cure, the WSLCB may do any one or more of the following:

1. *Exercise any remedy provided by law;*
2. *Terminate this Contract and any related Contracts or portions thereof;*
3. *Procure replacements and impose damages as set forth elsewhere in this Contract;*
4. *Impose actual or liquidated damages;*
5. *Suspend or bar Contractor from receiving future Solicitations or other opportunities;*
6. *Require Contractor to reimburse the state for any loss or additional expense incurred as a result of default or failure to satisfactorily perform the terms of the Contract.*

**1.49 OSHA AND WISHA REQUIREMENTS**

Contractor agrees to comply with conditions of the Federal Occupational Safety and Health Administration (OSHA) and, if manufactured or stored in the State of Washington, the Washington Industrial Safety and Health Act (WISHA) and the standards and regulations issued there under, and certifies that all items furnished and purchased will conform to and comply with said laws, standards and regulations. Contractor further agrees to indemnify and hold harmless WSLCB from all damages assessed against WSLCB as a result of Contractor's failure to comply with those laws, standards and regulations, and for the failure of the items furnished under the Contract to so comply.

#### **1.50 OVERPAYMENTS TO CONTRACTOR**

Contractor shall refund to WSLCB the full amount of any erroneous payment or overpayment under this Contract within thirty (30) days' written notice. If Contractor fails to make timely refund, WSLCB may charge Contractor one percent (1%) per month on the amount due, until paid in full.

#### **1.51 OWNERSHIP/RIGHTS IN DATA**

The WSLCB and Contractor agree that all data and work products (collectively called "Work Product") produced pursuant to this Contract shall be considered work made for hire under the U.S. Copyright Act, 17 U.S.C. §101 *et seq.*, and shall be owned by the WSLCB. Contractor is hereby commissioned to create the Work Product. Work Product includes, but is not limited to, discoveries, formulae, ideas, improvements, inventions, methods, models, processes, techniques, findings, conclusions, recommendations, reports, designs, plans, diagrams, drawings, Software, databases, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions, to the extent provided by law. Ownership includes the right to copyright, patent, register and the ability to transfer these rights and all information used to formulate such Work Product.

If for any reason the Work Product would not be considered a work made for hire under applicable law, Contractor assigns and transfers to the WSLCB the entire right, title and interest in and to all rights in the Work Product and any registrations and copyright applications relating thereto and any renewals and extensions thereof.

Contractor shall execute all documents and perform such other proper acts as the WSLCB may deem necessary to secure for WSLCB the rights pursuant to this section.

Contractor shall not use or in any manner disseminate any Work Product to any third party, or represent in any way Contractor ownership in any Work Product, without the prior written permission of the WSLCB. Contractor shall take all reasonable steps necessary to ensure that its agents, employees, or Subcontractors shall not copy or disclose, transmit or perform any Work Product or any portion thereof, in any form, to any third party.

Material that is delivered under this Contract, but that does not originate therefrom ("Preexisting Material"), shall be transferred to the WSLCB with a nonexclusive, royalty-free, irrevocable license to publish, translate, reproduce, deliver, perform, display, and dispose of such Preexisting Material, and to authorize others to do so except that such license shall be limited to the extent to which Contractor has a right to grant such a license. Contractor shall exert all reasonable effort to advise the WSLCB at the time of delivery of Preexisting Material furnished under this Contract, of all known or potential infringements of publicity, privacy or of intellectual property contained therein and of any portion of such document which was not produced in the performance of this Contract. Contractor agrees to obtain, at its own expense, express written consent of the copyright holder for the inclusion of Preexisting Material. the WSLCB shall receive prompt written notice of each notice or claim of copyright infringement or infringement of other intellectual property right worldwide received by Contractor with respect to any Preexisting Material delivered under this Contract. The WSLCB shall have the right to modify or remove any restrictive markings placed upon the Preexisting Material by Contractor.

#### **1.52 PERSONAL LIABILITY**

It is agreed by and between the parties hereto that in no event shall any official, officer, employee or agent of the WSLCB when executing their official duties in good faith, be in any way personally liable or responsible for any agreement herein contained whether expressed or implied, nor for any statement or representation made herein or in any connection with this agreement.

### **1.53 PRICE INCREASES**

Contractor requests for adjustments in pricing will be considered at sole discretion of the WSLCB only after expiration of the firm and fixed price period, and then on a pass through basis only that does not produce a higher profit margin for Contractor than that established by the original contract pricing.

Contractors may not make extensions contingent on price adjustments.

Price Increases will not be considered without supporting documentation sufficient to justify the requested increase. Documentation must be based on published indices and/or the result of increases at the manufacturer's level, incurred after contract commencement date. The grant of any price adjustment will be at the sole discretion of the WSLCB and, if granted, shall not produce a higher profit margin for the Contractor than that established by the original contract pricing. Any adjustments in pricing shall be set forth in a written amendment to the contract. Price adjustments granted by the WSLCB shall remain unchanged for at least 365 calendar days thereafter, and no request for adjustments in price will be considered during that time period.

### **1.54 PRICE PROTECTION**

Contractor warrants that prices of materials, supplies, services, and/or equipment set forth herein do not exceed those charged by the Contractor to any other customer purchasing the same under similar conditions and in like or similar quantities.

### **1.55 PRIVACY**

Personal information including, but not limited to, "Protected Health Information," collected, used, or acquired in connection with this contract shall be protected against unauthorized use, disclosure, modification or loss. Contractor shall ensure its directors, officers, employees, Subcontractors or agents use personal information solely for the purposes of accomplishing the services set forth herein. Contractor and its Subcontractors agree not to release, divulge, publish, transfer, sell or otherwise make known to unauthorized persons personal information without the express written consent of the WSLCB or as otherwise required by law.

Any breach of this provision may result in termination of the contract and the demand for return of all personal information. The Contractor agrees to indemnify and hold harmless the WSLCB for any damages related to the Contractor's unauthorized use of personal information.

### **1.56 PROBLEM RESOLUTION AND DISPUTES**

Problems arising out of the performance of this Contract shall be resolved in a timely manner at the lowest possible level with authority to resolve such problem. If a problem persists and cannot be resolved, it may be escalated within each organization.

In the event a bona fide dispute concerning a question of fact arises between the WSLCB and Contractor and it cannot be resolved between the parties through the normal escalation processes, either party may initiate the dispute resolution procedure provided herein.

The initiating party shall reduce its description of the dispute to writing and deliver it to the responding party. The responding party shall respond in writing within three (3) Business Days. The initiating party shall have three (3) Business Days to review the response. If after this review a resolution cannot be reached, both parties shall have three (3) Business Days to negotiate in good faith to resolve the dispute.

If the dispute cannot be resolved after three (3) Business Days, a Dispute Resolution Panel may be requested in writing by either party who shall also identify the first panel member. Within three (3) Business Days of receipt of the request, the other party will designate a panel member. Those two



panel members will appoint a third individual to the Dispute Resolution Panel within the next three (3) Business Days.

The Dispute Resolution Panel will review the written descriptions of the dispute, gather additional information as needed, and render a decision on the dispute in the shortest practical time.

Each party shall bear the cost for its panel member and share equally the cost of the third panel member.

Both parties agree to be bound by the determination of the Dispute Resolution Panel.

Both parties agree to exercise good faith in dispute resolution and to settle disputes prior to using a Dispute Resolution Panel whenever possible.

The WSLCB and Contractor agree that, the existence of a dispute notwithstanding, they will continue without delay to carry out all their respective responsibilities under this Contract that are not affected by the dispute.

If the subject of the dispute is the amount due and payable by WSLCB for materials, supplies, services and/or equipment being provided by Contractor, Contractor shall continue providing materials, supplies, services and/or equipment pending resolution of the dispute provided the WSLCB pays Contractor the amount WSLCB, in good faith, believes is due and payable, and places in escrow the difference between such amount and the amount Contractor, in good faith, believes is due and payable.

#### **1.57 PUBLICITY**

The Contractor agrees to submit to the WSLCB all advertising and publicity matters relating to this contract wherein the WSLCB'S name is mentioned or language used from which the connection of the WSLCB'S name may, in the WSLCB'S judgment, be inferred or implied. The Contractor agrees not to publish or use such advertising and publicity matters without the prior written consent of the WSLCB.

#### **1.58 RECORDS MAINTENANCE**

The Contractor shall maintain books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract.

Contractor shall retain such records for a period of six (6) years following the date of final payment. At no additional cost, these records, including materials generated under the contract, shall be subject at all reasonable times to inspection, review or audit by the WSLCB, personnel duly authorized by the WSLCB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

#### **1.59 REGISTRATION WITH DEPARTMENT OF REVENUE**

The Contractor shall complete registration with the Washington State Department of Revenue and be responsible for payment of all taxes due on payments made under this contract.

**1.60 RETENTION OF RECORDS**

The Contractor shall maintain all books, records, documents, data and other evidence relating to this Contract and the provision of materials, supplies, services and/or equipment described herein, including, but not limited to, accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Contract. Contractor shall retain such records for a period of six (6) years following the date of final payment. At no additional cost, these records, including materials generated under the Contract, shall be subject at all reasonable times to inspection, review, or audit by the WSLCB, personnel duly authorized by the WSLCB, the Washington State Auditor's Office, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until final resolution of all litigation, claims, or audit findings involving the records.

**1.61 RIGHT OF INSPECTION**

The Contractor shall provide right of access to its facilities to the WSLCB, or any of its officers, or to any other authorized agent or official of the state of Washington or the federal government, at all reasonable times, in order to monitor and evaluate performance, compliance, and/or quality assurance under this contract.

**1.62 SEVERABILITY**

The provisions of this contract are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the contract.

**1.63 SITE SECURITY**

While on WSLCB premises, Contractor, its agents, employees, or Subcontractors shall conform in all respects with physical, fire or other security policies or regulations.

**1.64 STATEWIDE VENDOR PAYMENT REGISTRATION**

Contractors are required to be registered in the Statewide Vendor Payment system, prior to submitting a request for payment under this Contract.

The Washington State Office of Financial Management (OFM) maintains a central Contractor registration file for Washington State agencies to process Contractor payments.

To obtain registration materials go to <http://www.ofm.wa.gov/isd/vendors.asp> the form has two parts; Part 1 is the information required to meet the above registration condition. Part 2 allows the state to pay invoices electronically with direct deposit and is the state's most efficient method of payment. Contractor are encouraged to sign up for this form of payment.

**1.65 SUBCONTRACTING**

Neither the Contractor nor any Subcontractor shall enter into subcontracts for any of the work contemplated under this contract without obtaining prior written approval of the WSLCB. In no event shall the existence of the subcontract operate to release or reduce the liability of the Contractor to the Department for any breach in the performance of the Contractor's duties. This clause does not include contracts of employment between the Contractor and personnel assigned to work under this contract.

Additionally, the Contractor is responsible for ensuring that all terms, conditions, assurances and certifications set forth in this agreement are carried forward to any subcontracts. Contractor and its Subcontractors agree not to release, divulge, publish, transfer, sell or otherwise make known to unauthorized persons personal information without the express written consent of the WSLCB or as provided by law.

#### **1.66 SUPERVISION AND COORDINATION**

Contractor shall:

1. Competently and efficiently, supervise and coordinate the implementation and completion of all Contract requirements specified herein;
2. Identify the Contractor's Representative, who will be the principal point of contact for the WSLCB Contract Administrator concerning Contractor's performance under this Contract.
3. Immediately notify the Contract Administrator in writing of any change of the designated Contractor's Representative assigned to this Contract; and
4. Violation of any provision of this paragraph may be considered a material breach establishing grounds for Contract termination.
5. Be bound by all written communications given to or received from the Contractor's Representative.

#### **1.67 SURVIVORSHIP**

All transactions executed for Products and Services provided pursuant to the authority of this Contract shall be bound by all of the terms, conditions, Prices and Price discounts set forth herein, notwithstanding the expiration of the initial term of this Contract or any extension thereof. Further, the terms, conditions and warranties contained in this Contract that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Contract shall so survive. In addition, the terms of the sections titled Overpayments to Contractor; Ownership/Rights in Data; Contractor's Commitments, Warranties and Representations; Confidentiality/Safeguarding Information; Incorporation of Documents; Order of Precedence; Publicity; Retention of Records; Problem Resolution and Disputes; and Limitation of Liability shall survive the termination of this Contract.

#### **1.68 TAXES, FEES AND LICENSES**

##### Taxes:

Where required by statute or regulation, the Contractor shall pay for and maintain in current status all taxes that are necessary for Contract performance. Unless otherwise indicated, the WSLCB agrees to pay State of Washington taxes on all applicable materials, supplies, services and/or equipment purchased. No charge by the Contractor shall be made for federal excise taxes and if requested the WSLCB agrees to furnish Contractor with an exemption certificate where appropriate.

##### Collection of Retail Sales and Use Taxes:

In general, Contractors engaged in retail sales activities within the State of Washington are required to collect and remit sales tax to Department of Revenue (DOR). In general, out-of-state Contractors must collect and remit "use tax" to Department of Revenue if the activity carried on by the seller in the State of Washington is significantly associated with Contractor's ability to

establish or maintain a market for its products in Washington State. Examples of such activity include where the Contractor either directly or by an agent or other representative:

1. Maintains an in-state office, distribution house, sales house, warehouse, service enterprise, or any other in-state place of business;
2. Maintains an in-state inventory or stock of goods for sale;
3. Regularly solicits orders from Purchasers located within the State of Washington via sales representatives entering the State of Washington;
4. Sends other staff into the State of Washington (e.g. product safety engineers, etc.) to interact with Purchasers in an attempt to establish or maintain market(s); or
5. Other factors identified in WAC 458-20.

Department of Revenue Registration for Out-of-State Contractors:

Out-of-state Contractors meeting any of the above criteria must register and establish an account with the Department of Revenue. Refer to WAC 458-20-193, and call the Department of Revenue at 800-647-7706 for additional information. When out-of-state Contractors are not required to collect and remit "use tax," the WSLCB will be responsible for paying this tax, if applicable, directly to the Department of Revenue.

Fees/Licenses:

After award of Contract, and prior to commencing performance under the Contract, the Contractor shall pay for and maintain in a current status any licenses, fees, assessments, permit charges, etc., which are necessary for Contract performance. It is the Contractor's sole responsibility to maintain licenses and to monitor and determine any changes or the enactment of any subsequent regulations for said fees, assessments, or charges and to immediately comply with said changes or regulations during the entire term of this Contract.

Customs/Brokerage Fees:

Contractor shall take all necessary actions, including, but not limited to, paying all customs, duties, brokerage, and/or import fees, to ensure that materials, supplies, and/or equipment purchased under the Contract are expedited through customs. Failure to do so may subject Contractor to liquidated damages as identified herein and/or to other remedies available by law or Contract. The WSLCB will not incur additional costs related to Contractor's payment of such fees.

Taxes on Invoice:

Contractor shall calculate and enter the appropriate Washington State and local sales tax on all invoices. Tax is to be computed on new items after deduction of any trade-in in accordance with WAC 458-20-247.

**1.69 TERMINATION BY MUTUAL AGREEMENT**

The WSLCB and the Contractor may terminate this Contract in whole or in part, at any time, by mutual agreement.

**1.70 TERMINATION FOR CAUSE**

In the event the WSLCB determines the Contractor has failed to comply with any and/or all of the conditions of this contract in a timely manner, the WSLCB has the right to suspend or terminate this contract. Before suspending or terminating the contract, the WSLCB may notify the

Contractor in writing of the need to take corrective action. If corrective action is not taken within thirty (30) Calendar Days, the contract may be terminated or suspended.

In the event of termination or suspension, the Contractor shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time.

The WSLCB reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the Contractor from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the Contractor or a decision by the WSLCB to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the Contractor: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of the WSLCB provided in this contract are not exclusive and are, in addition to any other rights and remedies, provided by law.

#### **1.71 TERMINATION FOR CONFLICT OF INTEREST**

The WSLCB may terminate this Contract by written notice to Contractor if it is determined, after due notice and examination, that any party to this Contract has violated Chapter 42.52 RCW, Ethics in Public Service, or any other laws regarding ethics in public acquisitions and procurement and performance of contracts. In the event this Contract is so terminated, the WSLCB shall be entitled to pursue the same remedies against Contractor as it could pursue in the event that the Contractor breaches this Contract.

#### **1.72 TERMINATION FOR CONVENIENCE**

Except as otherwise provided in this contract, the WSLCB may, by ten (10) calendar days written notice, beginning on the second day after the mailing, terminate this contract, in whole or in part. If this contract is so terminated, the WSLCB shall be liable only for payment required under the terms of this contract for services rendered or goods delivered prior to the effective date of termination.

#### **1.73 TERMINATION FOR NON-ALLOCATION OF FUNDS**

If funds are not allocated to the WSLCB to continue this Contract in any future period, the WSLCB may terminate this Contract by seven (7) calendar day's written notice to Contractor or work with Contractor to arrive at a mutually acceptable resolution of the situation. The WSLCB will not be obligated to pay any further charges for materials, supplies, services and/or equipment including the net remainder of agreed to consecutive periodic payments remaining unpaid beyond the end of the then-current period. The WSLCB agrees to notify Contractor in writing of such non-allocation at the earliest possible time.

No penalty shall accrue to the WSLCB in the event this section shall be exercised. This section shall not be construed to permit the WSLCB to terminate this Contract in order to acquire similar materials, supplies, services and/or equipment from a third party.

#### **1.74 TERMINATION FOR WITHDRAWAL OF AUTHORITY**

In the event that the WSLCB's authority to perform any of its duties is withdrawn, reduced, or limited in any way after the commencement of this Contract and prior to normal completion, the WSLCB may terminate this Contract, in whole or in part, by seven (7) calendar day's written notice to Contractor.

### **1.75 TERMINATION PROCEDURES**

Upon termination of this contract, the WSLCB, in addition to any other rights provided in this contract, may require the Contractor to deliver to the WSLCB any property specifically produced or acquired for the performance of such part of this contract as has been terminated. The provisions of the "Treatment of Assets" clause shall apply in such property transfer.

The WSLCB shall pay to the Contractor the agreed upon price, if separately stated, for completed work and services accepted by the WSLCB, and the amount agreed upon by the Contractor and the WSLCB for (i) completed work and services for which no separate price is stated, (ii) partially completed work and services, (iii) other property or services that are accepted by the WSLCB, and (iv) the protection and preservation of property, unless the termination is for default, in which case the Agent shall determine the extent of the liability of the WSLCB. Failure to agree with such determination shall be a dispute within the meaning of the "Disputes" clause of this contract. The WSLCB may withhold from any amounts due the Contractor such sum as the Agent determines to be necessary to protect the WSLCB against potential loss or liability.

The rights and remedies of the WSLCB provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the Agent, the Contractor shall:

1. Stop work under the contract on the date, and to the extent specified, in the notice;
2. Place no further orders or subcontracts for goods, materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;
3. Assign to the WSLCB, in the manner, at the times, and to the extent directed by the Agent, all of the rights, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case the WSLCB has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
4. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Agent to the extent Agent may require, which approval or ratification shall be final for all the purposes of this clause;
5. Transfer title to the WSLCB and deliver in the manner, at the times, and to the extent directed by the Agent any property which, if the contract had been completed, would have been required to be furnished to the WSLCB;
6. Complete performance of such part of the work as shall not have been terminated by the Agent; and
7. Take such action as may be necessary, or as the Agent may direct, for the protection and preservation of the property related to this contract, which is in the possession of the Contractor and in which the WSLCB has or may acquire an interest.

### **1.76 TITLE TO PRODUCT**

Upon Acceptance, Contractor shall convey to the WSLCB good title to the Product free and clear of all liens, pledges, mortgages, encumbrances, or other security interests.

### **1.77 TREATMENT OF ASSETS**

- A. Title to all property furnished by the WSLCB shall remain in the WSLCB. Title to all property furnished by the Contractor, for the cost of which the Contractor is entitled to be

reimbursed as a direct item of cost under this contract, shall pass to and vest in the WSLCB upon delivery of such property by the Contractor. Title to other property, the cost of which is reimbursable to the Contractor under this contract, shall pass to and vest in the WSLCB upon (i) issuance for use of such property in the performance of this contract, or (ii) commencement of use of such property in the performance of this contract, or (iii) reimbursement of the cost thereof by the WSLCB in whole or in part, whichever first occurs.

- B. Any property of the WSLCB furnished to the Contractor shall, unless otherwise provided herein or approved by the WSLCB, be used only for the performance of this contract.
- C. The Contractor shall be responsible for any loss or damage to property of the WSLCB which results from the negligence of the Contractor which results from the failure on the part of the Contractor to maintain and administer that property in accordance with sound management practices.
- D. If any WSLCB property is lost, destroyed or damaged, the Contractor shall immediately notify the WSLCB and shall take all reasonable steps to protect the property from further damage.
- E. The Contractor shall surrender to the WSLCB all property of the WSLCB prior to settlement upon completion, termination or cancellation of this contract
- F. All reference to the Contractor under this clause shall also include Contractor's employees, agents or Subcontractors.

#### 1.78 **WAIVER**

Failure or delay of the WSLCB to insist upon the strict performance of any term or condition of the Contract or to exercise any right or remedy provided in the Contract or by law; or the WSLCB's acceptance of or payment for materials, supplies, services and/or equipment, shall not release the Contractor from any responsibilities or obligations imposed by this Contract or by law, and shall not be deemed a waiver of any right of the WSLCB to insist upon the strict performance of the entire agreement by the Contractor. In the event of any claim for breach of Contract against the Contractor, no provision of this Contract shall be construed, expressly or by implication, as a waiver by the WSLCB of any existing or future right and/or remedy available by law.

#### 1.79 **WARRANTIES**

Contractor warrants that all materials, supplies, services and/or equipment provided under this Contract shall be fit for the purpose(s) for which intended, for merchantability, and shall conform to the requirements and specifications herein. Acceptance of any materials, supplies, service and/or equipment, and inspection incidental thereto, by the WSLCB shall not alter or affect the obligations of the Contractor or the rights of the WSLCB.

#### 1.80 **WITHDRAWAL OF FUNDING**

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this contract and prior to normal completion, the WSLCB may terminate the contract under the "Termination for Convenience" clause, without the ten-day notice requirement, subject to renegotiation at the WSLCB'S discretion under those new funding limitations and conditions.

1.81 **EXHIBIT B**  
**WSLCB'S Request for Proposals No. K430**

Proposer must complete and submit all sections of this Submittal Document as listed below:

- Proposer's Authorized Offer
- Proposer Information
- Subcontractor Information
- Letter of Submittal
- Non-Cost Proposal
- Cost Proposal

**SUBMITTAL INSTRUCTIONS**

Complete Proposals must be received electronically on or before **February 15, 2013 at 2:00PM (PT)**. Proposer must complete and submit all sections of this Submittal Document. Proposer may attach additional sheets as necessary. Proposer should:

- Attach the completed submittal document to a single email message and send it to [lcbids@liq.wa.gov](mailto:lcbids@liq.wa.gov).
- Clearly mark the subject line of the email: RFP-K430, Vendor Name (e.g. RFP- K430, ABC Company).
- The preferred software formats are Microsoft Word 2000 (or more recent version) and PDF. If this presents any problem or issue, contact the Procurement Coordinator immediately. To keep file sizes to a minimum, Proposers are cautioned not to use unnecessary graphics in their proposals.
- It is preferred that electronic signatures appear on all documents requiring signature. However, an email date stamp will be accepted as signed by the legally authorized representative of the firm for the purpose of this Proposal only.

Time of receipt will be determined by the e-mail date and time **received** at the WSLCB's mail server in the [lcbids@liq.wa.gov](mailto:lcbids@liq.wa.gov) inbox. The "receive date/time" posted by the WSLCB's email system will be used as the official time stamp. The WSLCB is not responsible for problems or delays with e-mail when the WSLCB's systems are operational. If a Proposal is late, it may be rejected.

Proposals should be submitted in the format described in this solicitation. All Proposals and any accompanying documentation become the property of the WSLCB and will not be returned. Incomplete Proposals may be rejected. Proposals submitted by fax, will not be accepted and will be considered non-responsive.

**SUBMITTAL CHECKLIST**

This checklist is provided for Proposer's convenience only and identifies the sections of this submittal document to be completed and submitted with each Response. Any response received without any one or more of these sections may be rejected as being non-responsive.

- |  |                          |
|--|--------------------------|
| Proposer's Authorized Offer (see page 2) | <input type="checkbox"/> |
| Proposer Information (see page 3)        | <input type="checkbox"/> |
| Subcontractor Information (see page 4)   | <input type="checkbox"/> |
| Letter of Submittal (see page 5)         | <input type="checkbox"/> |
| Non-Cost Proposal (see page 6)           | <input type="checkbox"/> |
| Cost Proposal (see page 8)               | <input type="checkbox"/> |

*Note:* The WSLCB understands that potential Proposers may have limited experience in providing the expertise required in all Categories described in RFP K430. In order to better leverage resources available for performing the Services required herein, the WSLCB recommends that potential Proposers may form teams that combine their knowledge, skills, and abilities into one (1) Proposal to meet the requirements as stated in RFP K430.



**PROPOSER'S AUTHORIZED OFFER**

**(PROPOSAL SIGNATURE PAGE)**

**Initiative 502 Consulting Services – RFP K430**

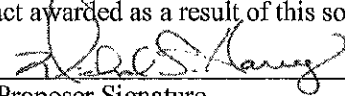
Issued by the Washington State Liquor Control Board

**Certifications and Assurances**

We make the following certifications and assurances as a required element of the Response, to which it is attached, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered. The prices in this Response have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single Proposal.
2. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by the Washington State Liquor Control Board (WSLCB) without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120 day period. In the case of protest, our Response will remain valid for 180 days or until the protest and any related court action is resolved, whichever is later.
3. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this Response. Any exceptions to these assurances are to be described in full detail on a separate page and attached to the Proposer's Response.
4. We understand that the Washington State Liquor Control Board (WSLCB) will not reimburse us for any costs incurred in the preparation of this Response. All Responses become the property of the WSLCB, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.
5. We understand that any Contract awarded, as a result of this RFP will incorporate all the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix B, [or substantially similar terms], if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix B of this solicitation.
6. We (circle one) are / are not submitting proposed Contract exceptions.
7. The authorized signatory below acknowledges having read and understood the entire solicitation and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Proposal.
8. By submitting this Proposal, Proposer hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.
9. Proposer has read and understands the requirements of the WSLCB set forth in and pertaining to Initiative 502.

The signatory below represents that he/she has the authority to bind the company named below to the Proposal submitted and any contract awarded as a result of this solicitation.

  
 \_\_\_\_\_  
 Proposer Signature  
 President  
 \_\_\_\_\_  
 Title

BevLink, LLC  
 \_\_\_\_\_  
 Company Name  
 February 15, 2013  
 \_\_\_\_\_  
 Date

## PROPOSER INFORMATION

### Proposer Profile:

Firm Name	<u>BevLink, LLC</u>
Street Address	<u>8620 Sorenson Avenue, Suite #7</u>
City, State, Zip	<u>Santa Fe Springs, California 90670</u>
Federal Tax ID Number	<u>PersonallInfo</u>
UBI	<u>Will apply for UBI if selected</u>
Website URL	<u>www.bevlink.net</u>

### Proposer Authorized Representative:

Proposer must designate an Authorized Representative who will be the principal point of contact for the WSLCB Contract Administrator for the duration of this RFP process. Proposer's Authorized Representative will serve as the focal point for business matters and administrative activities.

Representative Name:	<u>Michael S. Harvey</u>
Telephone:	<u>(714) 600-1185</u>
Email:	<u>MichaelHarvey@BevLink.net</u>

### Payment Options:

YES  NO Do you offer a Prompt Payment Discount? If yes, please provide below.

Prompt Payment Discount 10 % 10 days, net 30 days.

YES  NO Will you accept the State's Purchasing Card (P-Card)?

YES  NO Will you accept Electronic Funds Transfer (EFT)?

### Categories of Service:

Proposer must designate the Category(ies) of service for which this Response applies. Please check the appropriate box(es) below:

Category	Description	Response Applies this Category
All	<u>ALL</u> Categories (1-4) listed below	<input checked="" type="checkbox"/>
1	Product and Industry Knowledge	<input type="checkbox"/>
2	Product Quality Standards and Testing	<input type="checkbox"/>
3	Product Usage and Consumption Validation	<input type="checkbox"/>
4	Product Regulation	<input type="checkbox"/>

## SUBCONTRACTOR INFORMATION

**Check the applicable box:**

Yes  No Your firm intends on utilizing subcontractors to fulfill the service requirements outlined in RFP K430, Initiative 502 Consulting Services.

Contractor will be required to perform all work under this contract using his/her own employees carried on payroll or by using approved subcontractors. Where subcontractors are used in the performance of the contract, proposers will indicate as required with their response to seek approval. Contractor will be held responsible for all work performed or not performed by the subcontractor(s). Subcontractors will be required to bill through the Contractor.

If revisions are required in the subcontract assignment, new parties are to be proposed in advance of assignment, in writing to the WSLCB and the Contract Administrator.

All subcontractors are to submit a letter on company letterhead indicating the contract has been read, the standard terms and conditions reviewed and agreeing to all requirements presented. The subcontractors shall be required to meet all requirements established for Contractor staff.

If applicable, Proposer shall identify below all subcontractors who will perform services in fulfillment of contract requirements, including their name, the nature of services to be performed, address, telephone, facsimile, email, federal tax identification number (TIN), Washington State Uniform Business Identifier (UBI), and expected work to be performed of each subcontract:

**Subcontractor 1**

Name: J Carlos Perez  
 Services: Consultant & Copywriting  
 Address: 1939 Santa Rosa, Pasadena  
 Telephone: (818) 209-3464  
 Email: Carlosperez1@gmail.com  
 Fed ID: PersonallInfo  
 UBI: \_\_\_\_\_  
 Work to be Performed: Copywriting, editing, analytical & comparative research  
 Billing Rate: \$85 per hour

OMWBE certified: \_\_\_ Yes  No

**Subcontractor 2**

Name: BCD Concepts  
 Services: Consulting & Advertising  
 Address: 3813 Latrobe, Los Angeles  
 Telephone: (562) 301-5852  
 Email: bcdconcepts@gmail.com  
 Fed ID: PersonallInfo  
 UBI: \_\_\_\_\_  
 Work to be Performed: Administration, research, content edit  
 Billing Rate: \$40 per hour

OMWBE certified: \_\_\_ Yes  No

**Subcontractor 3**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified: \_\_\_ Yes \_\_\_ No

**Subcontractor 4**

Name: \_\_\_\_\_  
 Services: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fed ID: \_\_\_\_\_  
 UBI: \_\_\_\_\_  
 Work to be Performed: \_\_\_\_\_  
 OMWBE certified: \_\_\_ Yes \_\_\_ No

2/14/2013

J. Carlos Perez  
Consultant & Copywriter  
1939 Santa Rosa Ave  
Pasadena, CA 91104

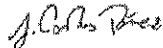
J. Carlos Perez  
Consultant &  
Copywriter  
1939 Santa Rosa Ave  
Pasadena, CA 91104

CC: Michael S. Harvey

To whom it may concern:

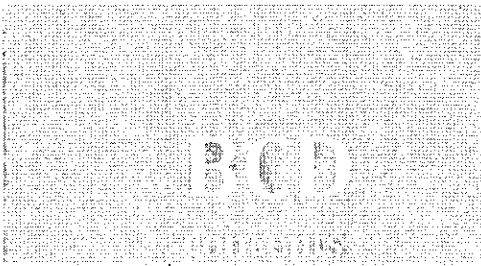
818.209.3464  
626.817.2594  
Carlosperez1@gmail.com

This letter confirms that I have read the contract between myself and BevLink regarding the service requirements outlined in BevLink's RFP K430, I 502 Consulting Services Submittal Document. We have agreed upon the terms and conditions therein and I agree to all the requirements presented in the contract and shall meet all the requirements established for me as a subcontractor working with Mr. Michael Harvey/BevLink.



J. Carlos Perez

**Consultant & Copywriter**



Advertising

2/14/2013

Consulting

Jennie Metcalfe  
Consulting, Advertising & Administration  
3813 Latrobe Street  
Los Angeles, CA 90031

CC: Michael S. Harvey

To whom it may concern:

This letter confirms that I have read the contract between BCD Concepts and BevLink regarding the service requirements outlined in BevLink's RFP K430, I 502 Consulting Services Submittal Document. We have agreed upon the terms and conditions therein and BCD Concepts has agreed to all the requirements presented in the contract and shall meet all the requirements established for me as a subcontractor working with Mr. Michael Harvey/BevLink.

Jennie Metcalfe/BCD Concepts

  
Consultant

**3813 LATROBE, LOS ANGELES, CA 90031**  
phone: (562) 301-5852  
fax: (323) 441-2131  
bcdconcepts@gmail.com

1.82 *EXHIBIT C*  
Contractor's Proposal

**CATEGORY 1 – PRODUCT AND INDUSTRY KNOWLEDGE**

1. **Ability, Capacity and Skills.**

We approach cannabis from the operational perspective of the liquor industry. We are familiar with the FDA compliance process for wine and spirits, and can draw on that experience to create & reissue forms revised for cannabis and cannabis-infused products. We know what is required for product safety, product infusion, packaging, standards for tracking and reconciliation of product grown, sold, or destroyed in Washington. Our extensive experience working with Tied House, the three-tier system and the California ABC, and satisfying their regulations will help us provide effective, pragmatic consulting solutions for Washington.

a. **How Marijuana and/or Agricultural products are grown, cultivated, harvested, cured, and processed**

We have been researching the cannabis industry for two years now, and have studied the various ways in which marijuana is grown, cultivated, harvested, cured and processed. We have consulted with dispensary-owners and operators about their agricultural methods and have also interviewed cannabis industry professionals about their growing, cultivating, and harvesting methods in order to ensure that we could develop the most efficient delivery process for the legalized cannabis industry.

We will work with licensed industry consultants to ensure that all consumables, such as extracts and tinctures (spagyrics) are FDA and/or pharmaceutically approved. We will oversee and establish standards for soil enhancements, hydroponics, alchemy, mining, microbes, oils & metals, preparations, cell salts, spagyrics (plant tinctures), bhasmas, tonic herbals, oil of egg, and majestries, etc. Spagyrics in particular will play a major role in the evolving cannabis market, and we must ensure there are enforceable regulations to monitor the alchemical procedures using fermentation, distillation and the extraction of mineral components from the ash of the plant. We will also propose standards for: indoor, outdoor and hybrid growing methods; hemp provisions, including industrial hemp for fabrics and other products; equipment to extract and trim cannabis for all segments of business.

b. **How Marijuana is infused into food and beverages**

Cannabis/marijuana can be fairly easily infused into edibles, oils, butters and other derivatives through cooking, baking, extraction, condensing, reducing and clarifying. Since cannabis-infused products, such as edibles and beverages, will be subject to a 25% excise tax, that would yield roughly \$1.25 for every \$5 transaction. We believe the state should collect \$1 for up to 32 ounces of cannabis or hemp-derived beverages, which would be consistent with either a pack of cigarettes or a bottle of wine.

Cannabis edibles typically range in price from \$5-\$10 for a typical ½ to 1 pound (8-16 ounces) product. Thus, the State would collect up to an additional \$2.50 per edible transaction – though the tax may also be based on \$1.25 per 8 ounces, etc, since food can be rather heavy. These excise tax opportunities could potentially generate significant revenue for Washington State. We will establish standards for the production and distribution of cannabis products including but not limited to; seed extraction of CBD,

derma healthcare and beauty (oils, candles, balms, ointments, creams, skin spray, bees wax), teas, coffee, energy drinks, water, juice, smoothies, honey, cafés, delis, coffee shops, specialty shops, juice bars, pain management & holistic medicine, herbal collectives & edibles (veterans, elderly, disabled), medical benefits (arthritis, chronic pain, depression, insomnia, other therapeutic uses), and pipes, bongos, and items referenced in I-502

**c. How Marijuana should be packaged, labeled, transported, and sold at retail level**

Just as suppliers and wine makers are required to meet USDA and US agricultural laws as well as federal weights & measures, so too must cannabis suppliers and growers. Also, any cannabis product labeled as "organic" must be certified organic by the USDA's Organic Program. We will propose a list of retail and non-retail cannabis licenses which will be based on an overlay of the Washington State Liquor Control Board's alcohol beverage control licenses. As with cigarette packages, cannabis products should require a bonded tax stamp. Products from legally licensed, endorsed, bonded, secured operations with facilities in Washington State must be labeled with stamps indicating that they abide by every local, county, state, and federal regulatory commission.

We also believe that businesses should have to submit an in depth application request for approval from the Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB) for a Certificate of Label Approval (COLA). The application will include information about ingredients, manufacturing process, packaging, weights and measures, laboratory testing, etc. The packaging, labeling, transport and retail sale of cannabis can easily be adapted to the three-tier system of producers, distributors (the state), and retailers. The Wine and Spirits Wholesalers of America, Inc. (WSWA) uses the three-tier system to insure product integrity and accountability, and the same benefit could be applied to the legal cannabis industry. This full-service distribution model would provide the State with ownership, corporate visibility, and risk management. It will also incorporate checks and balances with cost and tax controls, and establish industry benchmarks.

**d. How wholesale and retail Product should be recalled and accounted for**

Recalled or returned cannabis products should be subject to the same terms currently in place for alcoholic beverages. Moreover, the advertising of "money-back guarantees" by retailers should be specifically disapproved. State law should not require the seller to accept a return or make an exchange of cannabis products. This is discretionary with the licensee. It should also be noted, however, that a consumer cannot overbuy and then return any of the unused cannabis products, nor return cannabis received as a gift. As the distributor, the state will be responsible for issuing the recall to retail.

**e. How Marijuana should be destroyed if overproduced, contaminated, or recalled**

Based on the U. S Drug Enforcement Agency and numerous law enforcement agencies throughout the US, the most effective way to destroy marijuana is to burn it in a furnace or incinerator. If further steps are required, however, such as the removal of an unauthorized marijuana field or contaminated crop, we would work with the Washington State Department of Natural Resources to devise a strategy to impede the growing of new plants (i.e. cutting/burning the plants, and then applying a mixture of woodchips and an environmentally friendly growth retardant) and/or determine whether or not the soil and field must be reconditioned or repurposed.

**2. Experience. In two (2) pages or less, please describe your firm's experience in Product and Industry Knowledge as it relates to Marijuana.**

Given that Washington State intends to implement a three-tier system of cannabis that is defined and managed by the State Liquor Control Board, we believe that our extensive expertise working with a three-tier system in wine and spirits puts us in a unique position to understand the impact of this system on the legal cannabis industry.

We have been working for industrial classifications of wine and spirits for over a decade, and know how to weave cannabis classifications into the fabric of cannabis licenses issued by the state. Using the existing framework of license type, general function, requirement, privilege, and restriction, the State Liquor Control Board could allow integration of the cannabis industry with a revised handbook and correlating Business & Professions Code (B&PC). The licensing of cannabis beverages, for example, could then easily be based on an overlay of beer licensing requirements along with the associated privileges, and restrictions. Marijuana/THC edibles could be modeled on the wine licensing category, while botanicals could be based on distilled spirits, with all of the products covered by the three-tier system and abiding by the same terms in fees, bonding, promotional compliance, etc. Hashish, oils, butters, extracts and other cannabis derivatives would be based on the specialized brandy license.

The total real costs of obtaining all the necessary licenses and permits will likely range from \$25,000 to \$50,000 for a cannabis supplier or wholesaler, and an additional \$25,000 to \$50,000 for a cannabis dispensary or collective considered a retail establishment. We estimate that it would be a lengthy process, probably taking 4-6 months, before a supplier, wholesaler, or retailer would have all the permits required to set up a legal business. We would like to devise methods to expedite the process and ensure that the State is able to collect the tax revenue from these new businesses in a quick, efficient and fair manner. Some of the other costs we foresee in establishing a legal cannabis business include:

- \$2,500 to file corporation with the State
- \$10,000 for Health Department and Local City Planning departments
- \$10,000 for police services, FDA, and State Liquor Control Board
- \$5,000 for bonds and insurance
- \$15,000 for six months of empty warehouse and incidentals
- And \$10,000 capital contribution account.

As a wine and spirits distributor, we have gone through the process of having an in depth background check with DEA, FBI, DOJ. We believe that setting up a legal cannabis business should also include a CIA background check. We have experience with the impact and costs of: a thorough on-site premise inspection of operations and dimensions by a field agent; the verification process after submitting a personal affidavit; the requirement of a corporate affidavit; the procurement of a signed acknowledgement of Tied-House Laws; the drafting of a premises diagram; the submission of an operating, as well as a security and safety plan; the listing of supplier sources; and finally, the possibility of a band application that requires a few additional hoops before receiving approval.

We have experience setting up the organization structure that would be required for a legal cannabis business, and also have experience abiding by and enforcing regulations concerning samples, aged-inventory reduction plans, cash & carry networks as well as financial plans for state stores.



**3. Team Structure and Internal Controls. In two (2) pages or less, please describe the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors. Please define how the firm will establish lines of authority for personnel who might be involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm.**

Our work is based on three fundamental foundations: the mission, the team, and the leadership. We have an exceptional management team that brings a successful track record with the necessary skills and expertise needed to actively manage the project and frame-up opportunities, and proactively address and solve any problems that arise. Our subcontractor and advisors have been and will continue to be chosen for their integrity, commitment, work ethic, industry experience, and enthusiasm, and will contribute to the success of the WSLCB's RFP K430 to implement requirements for Initiative 502.

Our organization's standard Project Management techniques are supported by a methodology developed after years of project management experience in the liquor industry, including companies large and small, and within the private and public sector, including:

- Developing and continually updating detailed project plans in Gantt charts to manage the overall and day-to-day activities, primary communications, and measuring tools for WSLCB.
- Identifying and defining detailed project tasks with their duration and inter-dependencies to ensure project integrity and complete confidentiality.
- Evaluating skills necessary to perform each task and assign the required resources.
- Establishing checkpoints that measure changes in scope to milestones significantly impacting the scope moving forward.
- Establishing and implementing quality assurance checkpoints throughout the project.
- Defining formal communication channels for team members and management.
- Managing project issue resolution and administering all stakeholders to bring issues to resolution or create procedures for mitigation of issues.
- Communicating and synchronizing project activities with all vendors involved in the implementation project management effort as directed by Washington State Liquor Control Board
- Providing periodic status reporting to project team members, proposers, and stakeholders.
- Providing overall leadership to the project team, including implementation planning, change and configuration management as well as infrastructure optimization.

BevLink expects to work closely with the Washington State Liquor Control Board in the pursuit of a successful implementation of the requirements for Initiative 502. BevLink can assume the responsibility for the project management of Washington State's internal resources and oversight of any third party vendor or contractor project implementation activities. We have learned that customers benefit most when participating in the project assessment, planning and ongoing status reporting processes. This participation throughout the key project phases allows stakeholders buy-in to the end. BevLink, in turn, will benefit from the detailed knowledge that the State has of its operation, current systems, and business imperatives to deliver a successful implementation of the requirements of Initiative 502 for the WSLCB which include the necessary rules and infrastructure for the new Washington State system for growing, processing, retailing, and producing marijuana.

### *Our Philosophy*

Our customers and the company employees are the most important assets of our business. BevLink's business philosophy depends on our ability to address the needs and expectations of our customers and employees. We will provide unsurpassed value and efficiency, professionalism, flexibility, and cooperation while building long-term relationships with our suppliers and customers alike. In addition, we will conduct business in a manner beneficial for everyone, with highly trained and specialized resources, and deliver superior value-added services.

Cultivating a culture of teamwork and empowerment is critical to the success of this enterprise. BevLink will respect and encourage diversity and individuality. Ethical Standards will be second to none. The goal of BevLink is to provide a safe, healthy, and positive work environment for each employee and customer, to encourage creativity, acknowledge innovation, and reward results. Incorporating eco-friendly practices at all levels of business, BevLink will be an environmentally responsible consultant to the state; we will incite exceptional quality and constant improvement in all aspects of the organization.

Our customer service is competitive and aligned with the company image. We actively engage personnel, and are committed to their training and development to help maintain the vision of the company and the goals of the State of Washington.

- 4. Staff Qualifications and Capabilities. Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.**

Michael Harvey (President and General Manager) is responsible managing the design, planning, execution, and oversight for the project activities of RFP K430. Bringing over 20 years of management, operations, and distribution experience, Mr. Harvey has managed leading companies like Kroger, Southern Wine & Spirits, and Young's Market Company. He will collaborate with project partners to create value, build an infrastructure, leverage industry talent, and synchronize information.

Michael's extensive beverage industry experience includes distribution, purchasing, transportation, inventory control, and customer service. His strengths are project management, building high-performance teams, managing culture and change, organizational and work structure, process integration, and aligning key business intelligence across all areas of the organization. BevLink is a 3rd party logistics provider for the alcohol beverage industry and was an active member of the International Warehouse Logistics Association and the Council of Supply Chain Management Professionals.

Mr. Harvey will provide general management and direction for building a core vision group and promoting the project development across all areas, initiating concepts to proliferate cannabis regulation. Mr. Harvey will focus on both the short-term and long-term strategy, development and balancing the Board's vision to preserve public safety as top priority simultaneously addressing public fears by raising awareness.

Integrity and ethical stance are a priority. He will promote social responsibility, industry related organizations, affiliations, and memberships while focusing on sustainability and compliance as well as public relations.

J Carlos Perez (Subcontractor) – will be in charge of copywriting, editing, research, communications, and social media management. He will work closely with the government agents to ensure that all state rules and regulations are clearly and effectively communicated to the general public as well as cannabis industry professionals. Mr. Perez will be in charge of writing press releases, drafting guidelines, monitoring marketing, branding and advertising campaigns, drafting procedural primers, and creating guidelines to ensure that all state agents use approved terms and language when addressing business and community concerns regarding cannabis. Mr. Perez will also manage the consulting division's website, updating information and communicating with the public. Mr. Perez has drafted market research reports on ocean energy technology and green HVAC systems and has also worked as a branding, marketing and new media consultant to electronics companies and Technicolor. Mr. Perez did his graduate work in Comparative Literature at UC Berkeley and was graduated with High Honors from Wesleyan University. He was born in Peru and is a native speaker of Spanish.

Jennie Metcalfe (BCD Concepts) reports directly to the President of our organization. Ms. Metcalfe played an important role for our company since the inception and practically considered an extension of our management team. She who will be responsible for the leadership and management of administrative and internal operational functions including managing, organizing, supervising, and implementing customer service, general office administration, accounting, and a variety of fiscal, budgetary, administrative, personnel, analytical, and liaison functions. Ms. Metcalfe will coordinate back office operations and written procedures support to ensure organizational effectiveness and project efficiency; provide analytical research. Jennie brings twenty years experience in developing and growing small businesses, 12 years in the beverage industry. She is also a Notary Public.

## **CATEGORY 2 – PRODUCT QUALITY STANDARDS AND TESTING**

- 5. Ability, Capacity and Skills. In two (2) pages or less, please describe your firm’s ability, capacity, skills and/or expertise in Product Quality Standards and Testing, including but not limited to the following:**

**a. Knowledge of the infrastructure required to test Marijuana to ensure product quality, content, ingredients and consumer safety considerations**

Through our experience working with wine and spirits, we are also familiar with the testing procedures required by the state. We would, thus, be able to help the state liquor control board with the scheduled inspection and testing of marijuana and cannabis-infused products to ensure that they comply with the standards adopted by the board. We have experience working with government offices to insure that every licensed marijuana producer and processor submits representative samples of marijuana, useable marijuana, or marijuana-infused products produced or processed by the licensee to an independent, third party testing laboratory that meets the accreditation requirements established by the liquor control board. We will also ensure that samples are either returned or destroyed and that if any representative sample fails to meet the applicable standards, that the entire lot from which the sample was taken be destroyed.

**b. Assisting the WSLCB with establishing quality standards for testing Marijuana**

We will work to tie-in the pharmacy board as well as implementing testing labs and gathering necessary data throughout Washington. We will establish labeling standards that will be needed to meet the requirements by law. We also believe that Washington must challenge TTB for COLA and initiate a national database for collection – an initiative that will require 100,000 signatures to get the White House to respond.

The federal TTB and not the state should be in charge of the testing labs that process the samples provided by suppliers and growers, monitoring their ingredients, Cannabinoid levels and ratios, packaging, etc.

- 6. Experience. In two (2) pages or less, please describe your firm’s experience in the Product Quality Standards and Testing field, as it relates to Marijuana.**

We will draw on our experience of data and process implementation that was necessary for map segmentation of 80,000 ABC licenses for the Young’s Market Company (YMC) and Southern Wine & Spirits. BevLink has a valuable inventory of strengths including a dynamic team with 50 years of combined alcohol beverage experience, vast industry and expert contacts, superior quality service, state-of-the-art equipment and technology, and a clear, defined vision of the market need and opportunity. As barriers are inherent in all business, BevLink will work through the challenges that will inevitably surface. As situations occur, we will analyze and develop strategies to successfully overcome obstacles while incorporating a contingency plan with alternatives and solutions.

BevLink will lean on its resources of business advisors and network of industry experts for invaluable insight and direction. Whether internal or external factors, obstacles will be confronted and addressed ethically, professionally, and in the best interest of business. Quality control procedures are imperative, and we consider them the root to building a successful and

sustainable organization that supports the legalized marijuana industry in Washington. We will frame alternatives and factor contingencies and will hire a Quality Control or Compliance Manager if the need should arise. A consultant will help develop handbooks, manuals, and other tools as required by the group to better equip them to do their job the best they can; more importantly, BevLink wants everyone to do their job as safely as possible.

#### **Highlights of our Executive Operations**

- \$65M annual financial & cost analysis budgeting, operational reports and annual operations goals:
- \$5M Internal, \$23M Warehouse, \$19M Delivery, and \$17M Maintenance & Occupancy.
- Branch Operations Management, 6 depot facilities totaling 1M+sf, distributing 15.8M cases.
- Consecutively won SWS's Inaugural National Operations Awards, awarded in 2006 & 2007 for improving Southern California's National Ranking of efficiencies and reducing case costs from 12th to 1st.
- Upgraded \$1.5B Purchasing & Logistics System, 600 suppliers, 16M cases, and 15,000 global inbound loads.

7. **Staff Qualifications and Capabilities. Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.**

Mr. Harvey brings 20+ years management experience working at Southern Wine & Spirits (SWS) of California and later at Young's Market Company (YMC), both the largest of the wine and spirits industry, totaling \$12B in revenue nationally. At SWS, he quickly gained national reputation and moved into junior executive program as director of operations. Mr. Harvey was responsible for all operational projects and programs, ensuring that planning, management, resources, controls, and standards were properly implemented. Mr. Harvey's role was intimately interwoven to large-scale distribution operations, compliance, and facilities management in both California and New York.

As his career shifted to Young's Market Company as a Senior Operations Executive, he gained extraordinary experience and invaluable industry insight. Besides conducting numerous operational and risk assessments, efficiency surveys, and advising key stakeholders on the most appropriate methods to protect the organization, Mr. Harvey also made strong positive impressions on diverse levels of the staff and is considered the national leading expert in the area of operational management for the alcohol beverage industry.

An excellent track record attests to his thorough approach to each task and his constant effort to attain professional excellence. His integrity and sense of duty are above reproach. Mr. Harvey is a flexible, aggressive, hard-worker, who demonstrates a high degree of discipline in all aspects of his life.

Mr. Harvey's industry understanding in combination with his deep knowledge and experience in building high-performance distribution management systems remains invaluable and unparalleled for both organizations.

J. Carlos Perez (Subcontractor) – has experience inspecting factories and ensuring compliances with ISO standards. Mr. Perez also has experience working with government contracts, representing companies at trade conferences, and interpreting data and market trends. He has experience writing corporate summaries of testing data and drafting copy (marketing materials, proposals, press releases, white papers, web content, etc) that complies with Federal and State laws and regulations.

- 8. Approach and Methodology. In two (2) pages or less, please provide a complete description of your firms' proposed approach and methodology to be used in assisting the WSLCB to develop a reputable protocol for Product Quality Standards and Testing as requested in this RFP, to determine TCH/CBD levels and/or ratios, mold or chemical contaminants, and Product strain.**

*Objective Approach, Feasibility, Internal & External:*

We would provide analysis of data and objectives, policy and procedural documentation with flow processes, project plans, specifications of rules and infrastructure while incorporating variables and constraints, definitions of procedure's inferred tasks, and action plans to follow-up. Our operational implementation team will also manage any necessary assembly, HR, operating plan, procedures, JIT (Just-in-Time Trucking and Packaging), works-in-progress, and the quality-control plan.

*Master Plan:*

We will provide the state with a general and detailed preliminary design with procedure, solution, and master plan coherence. We will also provide a detailed plan for training, education and optimization.

Our master plan will include:

- Virtual campaign for positioning and buy-in, educating public, addressing fears, and maintaining public safety as top priority
- Establishing the target & objectives
- Inventory/collection of data (gathering of basic data)
- Interpretations, analysis, simulations, assumptions & vision
- Procedural documentation
- Database for visibility, cloud infrastructure
- Feasibility documentation & appropriateness of resources
- Functional & finalized documentation
- In depth documents & plans issued with summary of phases
- Coherence to objective and solutions
- Networked State Control configuration
- Action plan & economic modeling (operating & economic actions)
- Implementation plan and acceptance
- Follow-up & coherence for optimization (technical, resources, economic), which is the objective of our know how

### *Market Analysis Summary*

BevLink will target both the cannabis product market, which includes cannabis beverages, edibles, and botanicals and cannabis-infused products market of hashish, oils, butter, wax, and other extracted and condensed high potency derivatives, and California's growing new "Green Rush" industry comprised of suppliers, wholesalers, brokers, and retailers which should be governed and licensed by the Washington State Liquor Control Board.

### *Market Segmentation Strategy*

We estimate that if California has 53,000 active cannabis businesses, that Washington would have somewhere between 10,000 and 15,000. BevLink will support the WSLCB by gathering the necessary data and information from suppliers, current distributors, brokers, and retailers of marijuana and cannabis-infused products.

- We will gather data to chart and outline the current market size and growth estimates for these segments and use them to determine and measure potential demographics, psychographics, etc.
- We will also capitalize on unique locations, offering support for growers, retailers, and processors as well as reverse logistics at local ports for imported and exported cannabis products.
- We shall Consolidation loads (LTL) and transfers between Northern and Washington for cannabis producers
- We will use Natural Gas (LNG) trucks and equipment – offering an environmentally conscious option for the companies and products seeking carbon-neutral and sustainable options for transportation and services.
- We will also offer the opportunity to secure recycled packaging and labeling materials along with soy based inks, green supplies, and other forms of eco-friendly products and needs.
- Small to mid-size suppliers who do not have the same leverage or scale as their larger competitors can utilize third party logistics for delivery-store-door and secured truck load services and short-term warehousing.
- Cannabis Direct Sales – Evolving shipping regulations and laws for cannabis direct shipping creates a valuable channel for a 3rd-party carrier in the direct-to-retail segment.
- Utilizing reverse logistics, Washington should plan to consolidate excessive inventory direct-from-trade for distribution to out-of-state markets such as Colorado or Uruguay through a Foreign Trade Zone, alleviating a significant burden of deleted, discontinued, inactive, and aged inventories.

### **CATEGORY 3 – PRODUCT USAGE AND CONSUMPTION VALIDATION**

The cannabis industry, specifically the 3-tier system, is not experiencing consolidation. Considered more of a “wild west” market, the system continues to be challenged by direct shipment platforms, the caregivers. The smaller manufacturers can be restricted by the three-tier laws if unable to enter the market without a wholesaler who carries their products. Third-party logistics (3PL) host a variety of cost-effective and integrated supply chain solutions, especially for the smaller manufacturer. The cannabis industry will rely on 3PL providers for delivery to market and utilize an evolving ‘pass-through’ or modified 3-tier system for total logistics, value-added services, and full service warehouse distribution.

The supply chain strategy has shifted due to the consolidation of the 3-tier system. Standard terms for the large cannabis suppliers are 30 days on-hand of inventory, driving the need for short-term public warehouse storage and local transportation to manage the incredible turnover due to the five pound restriction, which BevLink can provide the transportation and delivery mechanism to and from bonded public warehouse storage to the wholesaler’s warehouse or the associated regional distribution centers (RDC).

**9. Ability, Capacity and Skills. In two (2) pages or less, please describe your firm’s ability, capacity, and skills and/or expertise to estimate Product Usage and Consumption levels by geographic areas in Washington State.**

We conducted segmentation mapping for 150,000 alcohol beverage licenses in California, New York, and Hawaii. Through this work, we identified the markets in terms of:

- Chain market or general market ‘channels’ or independent chain markets
- Categories such as alternative lifestyle, multi-cultural, key account specialist, and ethnic markets
- Commodity - wine, spirits, beer, and non-alcoholic/mixers
- Type or class – vodka, tequila, rum, whiskey, brandy, liqueurs, non-alcohol, water, energy drink
- On Premise versus Off Premise and further segmented by license type, geography, or other
- Demographic preferences.
- Non-retail licenses (wholesalers, suppliers, brokers, agents, importers, exporters, distillers, wine growers, blenders, etc)
- Retail licenses by type such as package stores, hospitality and entertainment, bed and breakfast, commercial vessels, catering, farmers market, brew pubs, etc.
- Telemarketing

As part of our segmentation mapping strategy, we assigned different sales teams to particular territories and mapped out 50,000 general market accounts through which to evaluate delivery-store- door efficiencies. We also implemented a dynamic zone-route delivery system and identified which sub-wholesalers were considered a threat to a distributor. We also estimated the Cash & Carry Matrix of the current customer base versus total potential estimated by the ABC. Our segmentation mapping helped us manage the frequency slotting of 18,000 skus, totaling 25 million cases production versus customer profile, differentiating between chain and general market items.



We also have expertise in integrating Third-Party Logistics, Value-Added Warehouse Distribution Services, IT Intelligence, and Supply Chain Management. We know how and when to change organizational management in order to drive greater efficiencies throughout the business and maximize profitability while expanding the market. As a Dynamic Supply Chain Leader with 20+ years of experience, we know how to monitor and track the supply chain, inspect warehouses, and evaluate transportation distribution systems.

**10. Experience. In two (2) pages or less, please describe your firm's experience in statistical research, specifically related to determining demographic and/or psychographic segmentation, preferably related to the use of Cannabis.**

The bullet points below summarize BevLink's experience with demographic and/or psychographic segmentation as it has applied to our work with the wine and spirits market.

- As a Transition Executive, Mr. Harvey, brought competitor insight and introduced SCM strategies to lay the framework for growth, enhanced profitability, and develop sales tools with real-time notifications. He directed a \$70M statewide warehouse and delivery budget, 500 Union Teamsters, 25 managers, 2 distribution warehouses and 13 depots totaling 1M+ sf.
- Evaluated and incorporated Supply Chain Technologies – Microsoft Dynamics AX for finance & direct retail warehouse sales, JDA's E-3 Purchasing Software, Customer Service Call Center, SFA and Pricing Module, Vendor Management, Online Merchandising POS Requisition Program, WMS, RoadShow/Descartes GPS.
- YMC Supply Chain Management & Distribution Solutions: Developed solutions and distribution strategies to maximize efficiencies for both internal and external operations by improving conveyor throughput, establishing dynamic routing, zone delivery, sales force automation, pricing enhancements, financial & security systems overhaul, purchasing and inventory restructure. Built customer service/credit programs, upgraded a number of key IT systems to improve overall productivity.
- Head Executive for LA branch leading 100 internal personnel (accounts receivable, credit, customer service, information technology) annually servicing 44,500 customers, processing and imaging 950,000 invoices, 400,000 call-ins, and 600 suppliers with 18,000 SKUs.
- \$40M Diageo Distribution Delivery Model: Created an all-inclusive distribution platform, warehouse and delivery mechanism allowing Diageo to self-distribute \$1B market within California. 3PL provided by YMC.
- C & D Account Delivery & Direct Warehouse Sales Model: Launched Statewide Cash and Carry network with dynamic zone route delivery and bolt-on route sales-driver, modeled after Core-Mark/BevLink, to target low priority accounts by driving lower tier customers into stores to buy goods and get cases off the union delivery truck.
- Managed \$4M risk management and process integration of security, loss prevention, and safety. Responsible for 2.5M cases of physical inventory on hand, valued at \$250M across Southwest YMC network.
- Managed financial accounting staff of 35 with \$1.2B in AP, \$100M+ in supplier AR, GL, and compliance. Responsible for 18M cases procurement valued at \$1.8B.

- 11. Staff Qualifications and Capabilities. Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.**

Michael Harvey (President and General Manager) – Mr. Harvey's achievements were featured in the Tasting Panel Magazine twice. He was also selected & interviewed by Wharton School of Business as an exemplary case study. He also featured in Beverage World. The lists below highlight some of Mr. Harvey's major accomplishments with respect to product usage and consumption validation.

#### **Executive Operations**

- \$65M annual financial & cost analysis budgeting, operational reports and annual operations goals.
- \$5M Internal, \$23M Warehouse, \$19M Delivery, and \$17M Maintenance & Occupancy.
- Branch Operations Management, 6 depot facilities totaling 1M+sf, distributing 15.8M cases.
- Consecutively won SWS' Inaugural National Operations Awards, awarded in 2006 & 2007 for improving Southern Cal's National Ranking of efficiencies and reducing case costs from 12th to 1st.
- Upgraded \$1.5B Purchasing & Logistics System, 600 suppliers, 16M cases, and 15,000 global inbound loads.

#### **External Operations**

- Managed 3 Major Conveyor Upgrades/Installs, increased volume by 100% to 7,200 cases per hour with capacity of 10,000 cph, setting industry standard as the most technologically advanced distribution systems at the time. Achievements were featured in the *Beverage World Magazine* and *Modern Materials Handling*.
- MRO, Fixed Asset & Vendor Management, supervised maintenance, repair, and occupancy operations, oversaw 200+ vendors, ensured insurance verification/compliance, and managed fleet, equipment and supplies programs.
- Elevated Safety and Risk Awareness, developed progressive safety, security, and loss prevention initiatives and incentive programs that significantly reduced Worker's Compensation by 92%, an equivalent of \$11M.

**12. Approach and Methodology. In two (2) pages or less, please provide a complete description of your firm's proposed approach and methodology to be used for Product Usage and Consumption validation as requested in this RFP, to estimate demographic and psychographic segmentation, specifically related to the use of Cannabis.**

We use following outline of activities as a guideline to ensure all activities are accounted for and executed in a timely and thorough manner for our customer's project:

*Project Planning*

- Project Kickoff
- Define Project Scope
- Review all business priorities and constraints
- Define all roles and responsibilities
- Develop communication plan
- Determine project status reporting approach
- Determine issue tracking and resolution approach
- Schedule all status meetings
- Develop project plan framework

*Strategy and Implementation Summary*

Our strategy involves a proactive marketing campaign introducing the project to an identifiable target group, raising awareness to preserve public safety, educating the public of the opportunity for employment, medical and economic value. Our organization plans to help create an identity, develop and implement promotional plans, build and invest in the process and personnel, and strive for quality data and results.

We can help build a versatile, dynamic, and synergized high-performance team with shared values, bringing the highest level and quality of services, resources, equipment, management experience, and technology to the this new market and forge a legacy by entering into the upper tier of the cannabis distribution and logistics industry.

A strategic approach can be developed to successfully implement the market in conjunction with building public credibility and operational resources. At least four months of due diligence includes extensive efforts to associate and network with industry icons and leaders representing different tiers of the cannabis industry as well as peripheral resources.

- The goal is to validate the likelihood of success, the market opportunity and functionality of consumption , build-up the value of the cannabis and earn the state additional revenue while establishing credibility and goodwill, and looking for sponsorship or endorsement from credible sources within the industry
- Due to strong relationships, we are fortunate to lean on and possibly partner up with the Southern Wine & Spirits and Young's Market Company, emphasizing a fair and balanced approach to price and service level.

- Recent activities include attending Hempcon 2013 in San Bernardino, seminars and discussions with hemp advocacy, legal workshops, careers, education, packaging, delivery, cooking and concentrates, and consultants for marketing, social media, construction, hydroponics, agricultural (cultivation, harvesting, trimming), and general industry vendors for beverages, edibles, botanicals, healthcare products, testing laboratories, holistic & pain management, and software developers.
- Meet with domestic partners but also discuss opportunities with the Enterprise and Foreign Trade Zones, if possible, helping us in conversations with the U.S. Department of Commerce and other international development councils for import and export opportunities.
- Our advisors represent some of Los Angeles' producers and retailers, Humboldt's distributors and small cannabis producers. We will conduct further interviews and surveys with operations and facility managers, private and public organizations, industry vendors and consultants, and top sales and operational executives of large national corporate liquor distributors, and other industry sources.

With the communications, systems, services, and legalization process in motion, our organization has received tremendous and positive feedback and increased the value and credibility of cannabis.

- Image and perception is important; therefore, we aim to increase goodwill and build a reputation as the state to work for and do business with, with regards to cannabis.
- We also intend to continue concentrating on cannabis as bona fide organic industry with significant economic value and invoke the interest of the large national corporate wine and spirits wholesalers in order to transfer their knowledge to the distribution of a commodity with similar constraints and material handling requirements for supply chain from inception to end user.

Though identifying the buying pattern of cannabis users is still in its infancy, we believe it could be more readily identified by working with a baseline of 1 gram per day for the general user. Based on that estimated, supply chain metrics can be provided to validate consumption and on hand allowable inventory.

Market research shows that customers in the cannabis industry are price sensitive, and value on-time deliveries, special handling and storage capabilities, and micro-pulsed delivery-store-door orders due to the five-pound restriction. Referrals and carrier's reputation are believed to be strongly influence the buying decision. Maintaining these standards will be of utmost importance.

We believe that by using Washington's election results, we will be able to estimate the demographic and psychographic segmentation as it relates to Cannabis, and also compare that information to the trends we have seen in the wine and spirits market.

## **CATEGORY 4 – PRODUCT REGULATION**

We have extensive hands-on risk management & regulatory compliance experience designing quality improvement programs, safety and risk awareness initiatives, physical inventory and reconciliation structures, and security and loss prevention practices. We have successfully executed aggressive cost/efficiency and service strategies to ensure maximum profitability and have worked with Food & Beverage Import/Export liaisons with Local, State, and Federal Agencies, such as ABC, FDA, TTB, COLA, FTZ, CBP, DOT, GS1 US, Cal-OSHA.

**13. Ability, Capacity and Skills. In two (2) pages or less, please describe your firm's ability, capacity, and skills and/or expertise in Product Regulation, including but not limited to, the following:**

**a. Strong understanding and experience with State, local or Federal government processes and procedures**

As a distributor of wine and spirits, we at BevLink have worked with the California ABC as well as the TTB, filing the necessary forms required to comply with federal wholesale, import/export and retailer permits. We have also had experience filing with the TTB to confirm that applications were submitted to the US Food and Drug Administration for Food Facility Registration and with the US Customs and Border Protection for an Importer's Number. We have also submitted a Letter of Intent to the TTB for Import and Wholesale of alcohol, and are familiar with the process as it might (eventually) apply to cannabis and infused-cannabis products.

In so far as cannabis is a controlled substance, we would also like to note that we have experience working with the Police Services, having gone through a three-month/\$3500 application process for a notarized and posted affidavit for Conditional Use Permit. Based on our experience we know that approval entails security, fire, life, and safety plans, and that subsequent annual renewals will cost less than \$1,500 each. We believe that Police Services in Washington would have to sign-off on applications before businesses meet with the local city zoning and planning departments for permit approvals and inspections of all business premises. Businesses will also have to secure health department inspections of architectural plans including mechanical, electrical, plumbing, operations, building, landscape, etc.

As part of our work as distributors, we also have experience with the types of walkthroughs that will be required by in order to establish a legitimate cannabis business. These walkthroughs would be done with the Fire Chief, Police Services, and Chief City Planner. Cannabis businesses should also be required to get city approval and then pay the fees needed for a city business license to operate legally within city limits.

From our experience in California, we also expect that, in addition to the State Liquor Control Board's approval, cannabis businesses will also eventually have to apply for a \$50,000- \$100,000 US Customs and Border Protection Bond to import cannabis, thus tying in tax-free Foreign Trade Zones (FTZs).

We are also experienced in obtaining the necessary bond from the Federal Motor Carrier Safety Administration (FMCSA) or Motor Carrier Permit (DOT) in order to transport a controlled substance, and estimate that cost for such a bond for cannabis to be \$10,000 bond. We have experience with special issue delivery-store-door (DSD) or transport licenses for wholesales and suppliers as well.

**b. Experience in crafting system regulations**

As a Director of Operations in the wine and spirits industry, BevLink's founder, Michael Harvey has worked as the Operational Liaison to Local and State Authorities, Corporate Executives, Sales Force, and Branch Management. Mr. Harvey has been responsible for safely and effectively leading 35 managers and 500 Union Employees across multiple business units to support and accomplish corporate strategies and objectives. He has improved workforce productivity and labor efficiency by reassessing management structure, operating systems, and reorganization of resources and has administered core business programs, controlled physical assets, and managed complex projects.

Drawing on our experience with the wine and spirits industry, BevLink will:

- Conduct stakeholder focus groups for discussion and determination of best practices relating to the growth, harvesting, distribution, infusion, and sale of useable recreational marijuana.
- Provide written recommendations and oversight following guidelines established by the Open Government Act.
- Work with the regulatory system, and offer recommendations for creating and modifying rules, laws, ordinances or guidelines.
- Consult with an experienced attorney who can help eliminate the need for former marijuana growers to feel that they must continue to work around the system
- Work in conjunction with WSLCB project manager and any other WSLCB personnel to ensure services in accordance with industry standards and best practice.

**14. Experience. In two (2) pages or less, please describe your firm's experience in working within the confines of a regulatory system, and experience in creating and/or modifying rule, law, ordinance, and/or guidelines.**

Any cannabis business should be required to print, label, or otherwise mark their packages so that every container would be identified by a uniquely issued license number by the WSLCB in conjunction to the Washington UBI on label in clear view. We recommend that a different permit number also be issued by the Health department for the appropriate labeling of containers. The Pharmacy Board should have a say on the content of label and container applications and what may best suited for the varietal products.

As with wine, sake, beer, and spirits, lot numbers are filed with the TTb when applying for formulation and label approval and submitted to FDA and US Customs & Border Protection. The same procedure would apply to cannabis rules and process notifications. With new warehouse management systems, the Lot number drives replenishment but also provides the TTb or the old ATF the information they sometimes need to confiscate or seize products with defects, contaminants, formulation issues, or other non-market related issues. Through this same procedure suppliers may learn of production concerns and have product recalled from the market and the wholesaler tier and may need to replace recalled or seized items with 'good' product.

BevLink has extensive experience working with the Department of Treasury Tax and Trade Bureau (TTB). We applied to the TTB for wholesaler and importer permit for alcohol beverages, and completed the Personnel Questionnaire for Alcohol and Tobacco Products. We have also registered facilities with the FDA and filed for an Importer on Record Number issued by the US Customs & Border protection, which is tied into a Homeland Security layer of clearance.

We are also familiar with the Department of Treasury's TTB COLAs Online Access Request and have voluntarily submitted packages for pre-COLA (Certificate of Label Approval) product evaluation and pre-import approval using the Samples COLA Waiver Request Form. We have gone through the application process with the TTB Advertising, Labeling, and Formulation Division (formula and process for domestic and imported alcohol beverages). We have submitted Statements of Production along with formula requirements, such as class, type, quantitative list of ingredients, method of production, total yield, alcohol content of finished product, amount of alcohol from flavors, amount of alcohol from base, composition, commodity statement, sugar, refining agents, etc. These same application procedures should be instituted for marijuana in Washington.

We have also submitted applications for certification/exemption of label/bottle approval, as well as Letters of Request for National Laboratory Analysis to the TTB National Laboratory Center for the evaluation of the formula and production process. We have also submitted packages to the TTB Advertising, Labeling, and Formulation Division (ALFD) for pre-COLA formula approval for the issuing of Formula/SOP Number, Lab Number, Date and Pre-Import Number. These submissions included information regarding: net content, alcohol content, appellation, vintage, distinctive liquor bottle details, content branded/embossed on containers, specific wording and markings on cap/corks/container, dimensions, weight, and UPC.

We know the application process for Certificate of Label Approval and the formula and laboratory analysis approval. We are aware of the various requirements that apply to imported alcohol beverages, including the evaluations of the product ingredients and formulation, and possible chemical analysis to protect the public. We understand and respect the importance of ensuring that consumers are provided with adequate information as to the identity and quality of every alcohol beverage and preventing consumer deception. We can help the State of Washington apply these same standards and procedures to the legalized cannabis industry.

We would also like to note that BevLink plans to submit a proposal to the State of California Department of Alcohol Beverage Control that outlines the ways in which cannabis regulations can easily be integrated into their existing regulations by overlaying them onto the ABC's current rules and regulations. We are also asking the CA ABC to recognize BevLink as the first legal distributor of cannabis and cannabis-infused products in the state.

**15. Staff Qualifications and Capabilities. Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.**

Michael Harvey (President and General Manager) – Mr. Harvey has extensive experience with local, state and national product regulations and will provide the direction and vision for Washington's management of the cannabis industry.

**Mr. Harvey's Core Competencies**

- Operations Alignment with Corporate Network & Executive Sales Support
- Team Building & Employee Development
- Marketing & Business Development
- Performance Measures & Report Metrics
- Complex Distribution, Routing, & Operational Control Systems
- Labor & Management Relations
- Administration & Compliance
- Organizational Change & Structure
- Business Intelligence Solutions
- Strategic Planning & Leadership
- Revenue & Profit Growth
- Financial Accounting & Budgeting
- Extended Enterprise & Shared Information

Mr. Harvey has worked as a corporate consultant in the role of Risk Management, Security or Loss Prevention. He is recognized as a national leader in these areas for the alcohol industry. He has led national network seminars for major wine and spirits corporations, incorporated technologies, and contributed scalability options. He is able to grasp difficult and diverse processes easily and transfer that knowledge to create a pro cannabis culture, while laying out challenges and provide solutions and the procedures targeted at closing those gaps.

His hands-on experience and inclination of managing large systems provides him with unique practical skill-sets, specifically supply chain management, operational design and advice at the planning stage of any project that ensures that all the appropriate features are incorporated into the project. Mr. Harvey offers a rich variety of excellent contacts and interactions with industry related partners and industry advisors for all areas of core competencies listed above.

He will enlist the services of these experts when and where appropriate in order to devise the most effective and efficient policies and procedures for the management of legalized cannabis in Washington.



**16. Approach and Methodology. In two (2) pages or less, please provide a complete description of your firms' proposed approach and methodology to be used in assisting the WSLCB with developing rules and a regulation strategy for the state of Washington's new Marijuana System.**

The key project controls required to bring good understanding of the environment and making sure all required controls are successfully integrated into the project begins with a charter that includes:

- Business case studies, scope and deliverables
- Evaluation of the objectives and available resources
- Milestone plan and timeline
- Cost estimate and task related inter-dependencies
- Identify and communicate deficiencies and offer recommendations to solve challenges.

The planning and design phase requires time, estimates of cost and adequate work resources, and effective project management during execution. As will be noted in the project plan, the information gathered here shapes the contract used to acquire formal approval to begin work. Project planning includes developing:

- Scope statement
- Schedule in Gantt chart
- Budget
- Team Selection
- Work breakdown structure
- Deliverables List
- Risk planning
- Communication planning

Executing these processes to complete the work defined in the project management plan allows us to successfully achieve our objectives. We will work in conjunction with the resources and personnel selected by the WSLCB and coordinate people where help is needed to integrate and perform the activities of the project. We are bottom-line and result-oriented; therefore, we pride ourselves in creating an efficient project management plan that will meet the WSLCB requirements of RFP K430 for Initiative 502.

Our strength is monitoring and controlling. We effectively manage and track projects, so that potential issues can be immediately recognized and addressed with the appropriate corrective action to accomplish goals and objectives as detailed in the project contract per the WSLCB's RFP K430. Our project management capacity includes measuring:

- Work-in-progress and ongoing project activities against schedule and objective.
- Project variables (cost, scope, time) against the project plan and projected baseline.
- Corrective actions identified addressing risks and concerns to get back on track.
- Change order control process and the impact of change on the scope.

Keeping it on-track, on-time and within budget, is an objective that requires project control early on in the planning process and continues on into post-implementation. It will be important to evaluate and consider that the associated cost should be clarified in terms of errors, fixes, and added costs due to changes in scope. We bring an overall business strategy, standards for new systems, project management policies, change management, and quality control, providing complete visibility and transparency for the state.

Successfully implementing a long-term sustainable solution to the Proposal is a primary goal. A project closure report will be provided communicating the performance of the project against the initial objective, quality measures, duration, cost, tolerances, and exceptions for all activities across all segments, ultimately to acquire sign-off on the project from the WSLCB. We intend to publish a "lessons learned" report and provide feedback that shares the valuable project experiences.

## COST PROPOSAL

The evaluation process is designed to award this procurement not necessarily to the Proposer of least cost, but rather to the Proposer whose proposal best meets the requirements of this RFP. However, Proposers are encouraged to submit proposals which are consistent with State government efforts to conserve state and federal resources.

**Instructions to Proposer:** Proposer shall complete either Table 1 or Table 2 below by entering their Not-to-Exceed (NTE) Hourly Rate or Not-to-Exceed Daily rate for Initiative 502 Consulting Services. For the purposes of this RFP, one day shall consist of a total of eight (8) hours.

Proposer is instructed to be familiar with the Initiative 502 language when preparing their response. A link to the I-502 document is located in Appendix B of the RFP for Proposer's convenience.

**Table 1: Hourly Rate**

Description	NTE Hourly Rate
Not-to-Exceed (NTE) <u>Hourly</u> Rate for I-502 Consulting Services as stated in this RFP	\$ <u>150</u> p/hour*

\* Does not include travel or development expenses.

**Table 2: Daily Rate**

Description	NTE Daily Rate
Not-to-Exceed (NTE) <u>Daily</u> Rate for I-502 Consulting Services as stated in this RFP	\$ <u>1,000</u> p/day*

\* Does not include travel or development expenses.

**Table 3: Monthly Rate**

Description	NTE Monthly Rate
Not-to-Exceed (NTE) <u>Monthly</u> Rate for I-502 Consulting Services as stated in this RFP	\$ <u>15,000</u> p/month**
- Rate includes 15 days in-house per month	
- \$60,000 portion of rate - Compensation	
- \$60,000 portion of rate - Charitable Donation to Washington's Dedicated Marijuana Fund	
- \$60,000 portion of rate includes travel and development expenses	

\*\* All subcontractor services would be billed at cost plus 10%, Not-to-Exceed (NTE) Rate of \$75,000 for Subcontractor Services as stated in this RFP. Monthly Rate is exclusively to acquire Michael Harvey in-house to help with project cohesion and maintain public safety as top priority.

**Norton, Melissa K**

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**From:** Mark A.R. Kleiman <markarkleiman@gmail.com>  
**Posted At:** Friday, February 15, 2013 1:04 PM  
**Conversation:** RFP-K430, BOTEC Analysis Corporation  
**Subject:** RFP-K430, BOTEC Analysis Corporation

Washington State Liquor Control Board,

Please accept this complete bid from BOTEC Analysis Corporation for RFP K430, composed of the attached submittal document, resumes, *letter of submittal*, and subcontractor agreements.

Best,  
Mark Kleiman  
CEO

**Norton, Melissa K**

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**From:** Mark A.R. Kleiman <markarkleiman@gmail.com>  
**Posted At:** Friday, February 15, 2013 12:53 PM  
**Conversation:** RFP-K430, BOTEC Analysis Corporation  
**Subject:** RFP-K430, BOTEC Analysis Corporation

Washington State Liquor Control Board,

Please accept the bid from BOTEC Analysis Corporation for RFP K430, composed of the attached submittal documents, resumes, and subcontractor agreements.

Best,  
Mark Kleiman  
CEO

## **RFP K430 SUBMITTAL DOCUMENT**

Proposer must complete and submit all sections of this Submittal Document as listed below:

- Proposer's Authorized Offer
- Proposer Information
- Subcontractor Information
- Letter of Submittal
- Non-Cost Proposal
- Cost Proposal

### **SUBMITTAL INSTRUCTIONS**

Complete Proposals must be received electronically on or before **February 15, 2013 at 2:00PM (PT)**. Proposer must complete and submit all sections of this Submittal Document. Proposer may attach additional sheets as necessary. Proposer should:

- Attach the completed submittal document to a single email message and send it to **lcbids@liq.wa.gov**.
- Clearly mark the subject line of the email: RFP- K430, Vendor Name (e.g. RFP- K430, ABC Company).
- The preferred software formats are Microsoft Word 2000 (or more recent version) and PDF. If this presents any problem or issue, contact the Procurement Coordinator immediately. To keep file sizes to a minimum, Proposers are cautioned not to use unnecessary graphics in their proposals.
- It is preferred that electronic signatures appear on all documents requiring signature. However, an email date stamp will be accepted as signed by the legally authorized representative of the firm for the purpose of this Proposal only.

Time of receipt will be determined by the e-mail date and time **received** at the WSLCB's mail server in the **lcbids@liq.wa.gov** inbox. The "receive date/time" posted by the WSLCB's email system will be used as the official time stamp. The WSLCB is not responsible for problems or delays with e-mail when the WSLCB's systems are operational. If a Proposal is late, it may be rejected.

Proposals should be submitted in the format described in this solicitation. All Proposals and any accompanying documentation become the property of the WSLCB and will not be returned. Incomplete Proposals may be rejected. Proposals submitted by fax, will not be accepted and will be considered non-responsive.

### **SUBMITTAL CHECKLIST**

This checklist is provided for Proposer's convenience only and identifies the sections of this submittal document to be completed and submitted with each Response. Any response received without any one or more of these sections may be rejected as being non-responsive.

- |  |                                     |
|--|-------------------------------------|
| Proposer's Authorized Offer (see page 2) | <input checked="" type="checkbox"/> |
| Proposer Information (see page 3)        | <input checked="" type="checkbox"/> |
| Subcontractor Information (see page 4)   | <input checked="" type="checkbox"/> |
| Letter of Submittal (see page 5)         | <input checked="" type="checkbox"/> |
| Non-Cost Proposal (see page 6)           | <input checked="" type="checkbox"/> |
| Cost Proposal (see page 8)               | <input checked="" type="checkbox"/> |

*Note:* The WSLCB understands that potential Proposers may have limited experience in providing the expertise required in all Categories described in RFP K430. In order to better leverage resources available for performing the Services required herein, the WSLCB recommends that potential Proposers may form teams that combine their knowledge, skills, and abilities into one (1) Proposal to meet the requirements as stated in RFP K430.

**PROPOSER'S AUTHORIZED OFFER**

**(PROPOSAL SIGNATURE PAGE)**

**Initiative 502 Consulting Services – RFP K430**

Issued by the Washington State Liquor Control Board

**Certifications and Assurances**

We make the following certifications and assurances as a required element of the Response, to which it is attached, affirming the truthfulness of the facts declared here and acknowledging that the continuing compliance with these statements and all requirements of the RFP are conditions precedent to the award or continuation of the resulting Contract.

1. The prices in this Response have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror or competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered. The prices in this Response have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror or competitor before Contract award unless otherwise required by law. No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition. However, we may freely join with other persons or organizations for the purpose of presenting a single Proposal.
2. The attached Response is a firm offer for a period of 120 days following the Response Due Date specified in the RFP, and it may be accepted by the Washington State Liquor Control Board (WSLCB) without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 120 day period. In the case of protest, our Response will remain valid for 180 days or until the protest and any related court action is resolved, whichever is later.
3. In preparing this Response, we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this solicitation, or prospective Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this Response. Any exceptions to these assurances are to be described in full detail on a separate page and attached to the Proposer's Response.
4. We understand that the Washington State Liquor Control Board (WSLCB) will not reimburse us for any costs incurred in the preparation of this Response. All Responses become the property of the WSLCB, and we claim no proprietary right to the ideas, writings, items or samples unless so stated in the Response. Submission of the attached Response constitutes an acceptance of the evaluation criteria and an agreement to abide by the procedures and all other administrative requirements described in the solicitation document.
5. We understand that any Contract awarded, as a result of this RFP will incorporate all the solicitation requirements. Submission of a Response and execution of this Certifications and Assurances document certify our willingness to comply with the Contract terms and conditions appearing in Appendix B, [or substantially similar terms], if selected as a contractor. It is further understood that our standard contract will not be considered as a replacement for the terms and conditions appearing in Appendix B of this solicitation.
6. We (circle one) are / **ARE NOT** submitting proposed Contract exceptions.
7. The authorized signatory below acknowledges having read and understood the entire solicitation and agrees to comply with the terms and conditions of the solicitation in submitting and fulfilling the offer made in its Proposal.
8. By submitting this Proposal, Proposer hereby offers to furnish materials, supplies, services and/or equipment in compliance with all terms, conditions, and specifications contained in this solicitation.
9. Proposer has read and understands the requirements of the WSLCB set forth in and pertaining to Initiative 502.

The signatory below represents that he/she has the authority to bind the company named below to the Proposal submitted and any contract awarded as a result of this solicitation.

Mark A. R. Kleiman  
 \_\_\_\_\_  
 Proposer Signature  
 CEO / Chairman of the Board  
 \_\_\_\_\_  
 Title

BOTEC Analysis Corporation  
 \_\_\_\_\_  
 Company Name  
 February 15, 2013  
 \_\_\_\_\_  
 Date

## PROPOSER INFORMATION

**Proposer Profile:**

Firm Name	<u>BOTEC Analysis Corporation</u>
Street Address	<u>73 Fayerweather St</u>
City, State, Zip	<u>Cambridge, MA 02138</u>
Federal Tax ID Number	<u>PersonalInfo</u>
UBI	<u></u>
Website URL	<u></u>

**Proposer Authorized Representative:**

Proposer must designate an Authorized Representative who will be the principal point of contact for the WSLCB Contract Administrator for the duration of this RFP process. Proposer's Authorized Representative will serve as the focal point for business matters and administrative activities.

Representative Name:	<u>Steven Davenport</u>
Telephone:	<u>(510) 552-0575</u>
Email:	<u>davenport@botecanalysis.com</u>

**Payment Options:**

- YES  NO Do you offer a Prompt Payment Discount? If yes, please provide below.  
 Prompt Payment Discount 0.5% if received within 10 days.
- YES  NO Will you accept the State's Purchasing Card (P-Card)?
- YES  NO Will you accept Electronic Funds Transfer (EFT)?

**Categories of Service:**

Proposer must designate the Category(ies) of service for which this Response applies. Please check the appropriate box(es) below:

Category	Description	Response Applies this Category
All	<u>ALL</u> Categories (1-4) listed below	<input checked="" type="checkbox"/>
1	Product and Industry Knowledge	<input checked="" type="checkbox"/>
2	Product Quality Standards and Testing	<input checked="" type="checkbox"/>
3	Product Usage and Consumption Validation	<input checked="" type="checkbox"/>
4	Product Regulation	<input checked="" type="checkbox"/>



## SUBCONTRACTOR INFORMATION

**Check the applicable box:**

Yes  No Your firm intends on utilizing subcontractors to fulfill the service requirements outlined in RFP K430, Initiative 502 Consulting Services.

Contractor will be required to perform all work under this contract using his/her own employees carried on payroll or by using approved subcontractors. Where subcontractors are used in the performance of the contract, proposers will indicate as required with their response to seek approval. Contractor will be held responsible for all work performed or not performed by the subcontractor(s). Subcontractors will be required to bill through the Contractor.

If revisions are required in the subcontract assignment, new parties are to be proposed in advance of assignment, in writing to the WSLCB and the Contract Administrator.

All subcontractors are to submit a letter on company letterhead indicating the contract has been read, the standard terms and conditions reviewed and agreeing to all requirements presented. The subcontractors shall be required to meet all requirements established for Contractor staff.

If applicable, Proposer shall identify below all subcontractors who will perform services in fulfillment of contract requirements, including their name, the nature of services to be performed, address, telephone, facsimile, email, federal tax identification number (TIN), Washington State Uniform Business Identifier (UBI), and expected work to be performed of each subcontract:

<p><b>Subcontractor 1</b></p> <p>Name: <u>RAND Corporation</u></p> <p>Services: <u>Research &amp; Analysis</u></p> <p>Address: <u>1776 Main Street, P.O. Box 2138, Santa Monica, CA 90407</u></p> <p>Telephone: <u>310-393-0411x6625</u></p> <p>Email: <u>byone@rand.org</u></p> <p>Fed ID: <u>PersonallInfo</u></p> <p>UBI: <u>00-691-4071</u></p> <p>Work to be Performed: <u>Report: Size of marijuana market in WA State</u></p> <p>OMWBE certified: <u>__ Yes _X_ No</u></p>	<p><b>Subcontractor 2</b></p> <p>Name: <u>National Medical Services, Inc (dba NMS Labs)</u></p> <p>Services: <u>Clinical and Forensic Tests</u></p> <p>Address: <u>3701 Welsh Rd, Willow Grove, PA 19090</u></p> <p>Telephone: <u>800.522.6671</u></p> <p>Email: <u>Pat.haneman@nmsslabs.com</u></p> <p>Fed ID: <u>PersonallInfo</u></p> <p>UBI: <u>N/A</u></p> <p>Work to be Performed: <u>Toxicology and Cannabis Testing Consultation</u></p> <p>OMWBE certified: <u>__ Yes _X_ No</u></p>
<p><b>Subcontractor 3</b></p> <p>Name: <u>Donald I. Abrams, MD</u></p> <p>Services: <u>San Francisco General Hospital</u></p> <p>Address: <u>Ward 84, 995 Potrero, San Francisco, CA 94110</u></p> <p>Telephone: <u>(415) 206-4919</u></p> <p>Email: <u>dabrams@hemeonc.ucsf.edu</u></p> <p>Fed ID: <u>Not given</u></p> <p>UBI: <u>N/A</u></p> <p>Work to be Performed: <u>Medical Cannabis Consultation</u></p> <p>OMWBE certified: <u>__ Yes _X_ No</u></p>	<p><b>Subcontractor 4</b></p> <p>Name: <u>Steep Hill Lab</u></p> <p>Services: <u>Medical marijuana testing</u></p> <p>Address: <u>473 Roland Way Oakland CA 94621</u></p> <p>Telephone: <u>510-562-7400</u></p> <p>Email: <u>david@steephilllab.com</u></p> <p>Fed ID: <u>PersonallInfo</u></p> <p>UBI: <u>N/A</u></p> <p>Work to be Performed: <u>Cannabis Testing Consultation</u></p> <p>OMWBE certified: <u>__ Yes _X_ No</u></p>

## LETTER OF SUBMITTAL

The Proposer's Letter of Submittal must be signed by the individual within the organization authorized to bind the bidder to the offer. Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the Proposer and any proposed subcontractors:

- Name, address, principal place of business, telephone number, and fax number/e-mail address of legal entity or individual with whom contract would be written.
- Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chairperson of the Board of Directors, etc.)
- Location of the facility from which the Proposer would operate.
- Statement of which of the following Categories Proposer is responding to:
  - Category 1: Product and Industry Knowledge
  - Category 2: Product Quality Standards and Testing
  - Category 3: Product Usage and Consumption Validation
  - Category 4: Product Regulation
- Identify any state employees or former state employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Proposer's organization. If following a review of this information, it is determined by the WSLCB that a conflict of interest exists, the Proposer may be disqualified from further consideration for the award of a contract.

## NON-COST PROPOSAL

Please refrain from using company name or other information that will identify your company while preparing your response for the Non-Cost Submittal. The Washington State Liquor Control Board (WSLCB) reserves the right to modify proposals in order to eliminate company names or any other information that may identify a specific company brand.

### **CATEGORY 1 – PRODUCT AND INDUSTRY KNOWLEDGE**

Please answer the questions listed below, attaching additional pages as necessary:

1. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, skills and/or other expertise in Product and Industry Knowledge, including but not limited to the following:
  - a. How Marijuana and/or Agricultural products are grown, cultivated, harvested, cured, and processed
  - b. How Marijuana is infused into food and beverages
  - c. How Marijuana should be packaged, labeled, transported, and sold at retail level
  - d. How wholesale and retail Product should be recalled and accounted for
  - e. How Marijuana should be destroyed if overproduced, contaminated, or recalled

In formulating its regulatory strategy, the Board faces trade-offs between the objectives of consumer safety and health, tax revenue, and the size of the remaining illicit market. Tighter regulations can help protect health, but also impose costs on the licit industry. Higher costs will tend to lead to higher prices (net of tax) thus reducing the revenues the state can collect without pushing licit prices so high that illicit dealers—not paying taxes or subject to regulation—enjoy a price advantage in the competition for consumers.

Making sound choices therefore requires detailed knowledge both of production processes and of licit and illicit marijuana markets. Our team offers outstanding expertise in all these areas. A former CEO of a regulated cannabis producer brings expertise in the industrial-scale production of standardized cannabis and cannabis products and has strong practical experience in the means of producing pharmaceutical-grade marijuana free of hazardous impurities and with measured and consistent levels of THC and CBD, the two chemicals in marijuana whose psychoactivity is best understood scientifically. The operators of our two medical marijuana testing labs (one of whom doubles as our chemist specializing in extracts) have worked with producers in the medical-marijuana industry, and have strong experience with product testing and labeling. An extracts specialist has expert knowledge infusing foods and drinks with cannabis and its extracts. A clinical research and forensic toxicology lab offers proven competence in legally compliant marijuana handling, accounting, and testing, as their ISO 17025 certification and DEA-license attest. The cannabis production manager, our extracts specialist, and the operator of our primary medical marijuana testing lab all have experience with industry practice and behavior under a variety of regulatory regimes. A Colorado-based policy analyst has expertise in the general mechanics of legally compliant marijuana businesses, particularly in the newly licit market of Colorado. A CPA servicing the medical marijuana industry and former dispensary CFO delivers expertise in product accounting and retail operations. A former dispensary operator and quality standards specialist also bring retail experience. Our operations management specialist and two colleagues from RAND have produced pathbreaking studies of the costs of producing marijuana under semi-licit conditions (legal under state but not federal law) similar to those that will prevail in Washington unless the federal government elects to respect the State's policy of licit availability.

The DEA-licensed forensic toxicology laboratory complements the rest of the team by offering expertise with forensic and toxicological analysis of marijuana seized by law enforcement, and has extensive expertise with respect to the effects of alternative growing and processing techniques on the chemical composition of the final product. They have a rare expertise in dangerous compounds related to cannabinoids, such as "bath salt compounds" and "synthetic marijuana," which could potentially be chemically altered to classify as a legal cannabinoid while retaining their relatively dangerous psychoactive effects.

The Board will need to establish standards for production and processing.

Regardless of whether marijuana is grown solely under artificial lighting, in a greenhouse or in an open plot, the manufacturing process can be divided into five phases: the vegetative phase, the generative phase, harvesting and drying, processing and sterilization, and batch testing. Each phase presents its own production and quality-assurance challenges, and the Board's regulatory processes need to ensure that producers handle each phase in ways designed to protect consumers. For example, the whole flowers usually sold in both medical and purely illicit markets today have aesthetic appeal to some consumers, but—compared to blended, granulated product—complicate the task of ensuring accurate labeling and lot-to-lot consistency in chemical content. Gamma-irradiation, the standard required for the sterilization of pharmaceutical marijuana in the Netherlands and in Canada, is banned in the United States, leaving the question of what sterilization practices to require and how to monitor the product for freedom from microbial contamination.

The infusion of marijuana into foods and beverages poses its own set of production, quality-assurance, and regulatory challenges. The choice of solvents, the measurement of extracts, and the selection of a matrix (e.g., baked goods versus consumption of an infused liquid) are all significant, and our extracts chemist offers extensive experience with the relevant technologies and in regulatory practices with respect to them.

The conversion of THC-acid to THC by heat means that products need to be labeled according to how they have been processed. The risks of unintentional overdose from food products—due both to the long and variable lag between ingestion and the diffusion of the active agents through the blood-brain barrier and to the phenomenon of “munchies” (appetite stimulation, especially for sweet and salty foods) that can make eating additional infused products seem very attractive—suggest the need for appropriate labeling. In addition, the difference in bioavailability and speed of onset between inhaled and ingested marijuana should be reflected in how product potency is reflected on labels: 40 milligrams of inhaled THC is effectively a larger dose than 40 milligrams of ingested THC, and consumers used to the effects of marijuana in one form may need guidance as to its likely effects in the other form.

To guarantee product stability, product should be sealed in airtight inert packages. Our testing, packaging, and labeling expert (also the operator of our primary commercial testing lab) has innovated multiple products aimed at enhancing the credibility and effectiveness of these processes for the medical marijuana market in California. He has developed the industry's first safe packaging system, which tests batches of marijuana for contaminants and posts results on an identifiable tamper-proof, nitrogen-sealed package. He has experience in constructing voluntary quality-certification systems from the ground up and in soliciting buy-in and compliance from other firms.

Accounting for product is essential to guarantee it is cultivated and processed in-state and ultimately consumed in-state. Accounting can begin as early as the point of planting, similar to Mendocino County's program, with a zip tie officially identifying the plant. Further controls should be performed at point of wholesale purchase, with responsibility of the purchaser to verify the identity of the seller. At this point in the distribution chain, the control shifts from being per-plant to being based upon the weight of the product. These controls should continue after the curing process and until point of sale at retail. After that stage, diversion may be prevented via a registry of buyers, perhaps using a state identification number to track retail purchases by a buyer over time.

NMS Labs is required to receive, store and discard controlled substances (including Marijuana) at its facility under the regulatory authority of DEA and ASCLD-LAB ISO 17025, in addition to local regulatory environments. Successful long term maintenance of these accreditations requires NMS Labs to have knowledge of handling of Marijuana, secured storage, building security, transportation security, discard control and extensive documentation of all of these challenging areas. Their experience in executing these activities under existing regulatory environments will be useful in evaluating operational processes, record keeping, archiving and retrieving and tracking inventory.

Our team also has expertise in destruction of product from several perspectives: as manager of the entire project of cannabis processing and ensuring legal compliance, as operator of a lab that regularly destroys contaminated product, and as a DEA-licensed facility that regularly oversees disposition of marijuana according to the regulatory authority of DEA and ASCLD-LAB International ISO 17025.

2. **Experience.** In two (2) pages or less, please describe your firm's experience in Product and Industry Knowledge as it relates to Marijuana.

Our team brings considerable experience in marijuana cultivation, processing, and product innovation. Our horticultural production manager served as CEO of Bedrocan International, Inc. (BI, California, USA) for two years, where he gained an in-depth understanding of how to produce standardized cannabis products on an industrial scale and in a fully regulated environment. Our infusions expert and secondary cannabis testing laboratory operator is a chemist with four years of experience in executing cannabinoid extraction and food and beverage infusion, and over-20 years of experience working in regulated laboratory facilities, including industrial food production and nutritional supplement contract manufacturing (both overseen by the FDA). One of our commercial testing labs has brought to the industry a number of new products and services, including the first safe packaging system (using a nitrogen-sealed tamper proof bag), a contaminant-free certification system folding together various technologies in testing, packaging, and labeling, and the industry's first remotely-operated testing modules.

Our team brings experience in operating marijuana businesses, including administering retail, legal compliance, financial affairs, and large-scale production. Our financial expert has spent two years as the CFO of Harborside and currently operates a tax consulting business that primarily services marijuana-related businesses of all varieties. Famously, he brought Internal Revenue Code 280e to the attention of the cannabis industry at a time when many operators were out of compliance with the law and were not even aware that it applied to their businesses. A Colorado-based policy expert has received advanced training from Oaksterdam University.

Our experts have strong ties to industry and regulatory bodies throughout California, Colorado, and Montana. Many of those regulatory environments are much more rigorously regulated than Washington may be, and thus pose additional challenge and opportunities for learning to our experts.

Our team brings impressive industry and product knowledge of marijuana from an academic perspective, as attested by their publications. Books published on the subject by our experts include *Marijuana Legalization: What Everyone Needs to Know*, *Drugs and Drug Policy*, and *Against Excess: Drug Policy for Results*. A small sample of our Team's research includes studies on the effects of California's Prop 19 failed legalization bill on prices in California and Mexican drug trafficking organization revenue as well as estimates of the size of the illicit market in America and abroad.

As mentioned above, our horticultural production manager served as CEO of Bedrocan International, Inc. (BI, California, USA). BI operated as the international affiliate of Bedrocan BV (Netherlands), the only company in the world licensed to produce multiple, diverse cannabis varieties for patients under a national program. Regulated by the Dutch Ministry of Health's Office of Medicinal Cannabis (OMC), Bedrocan's botanical products are manufactured in accordance with Good Agricultural Practices (GAP) and adhere to World Health Organization (WHO) standards for the production of botanical drugs. Bedrocan is the single licensed supplier of medical marijuana in the Netherlands and developer of perhaps the precise, effective, and tested cultivation and processing techniques. Bedrocan's pharmaceutical-grade cannabis has been sold in Dutch pharmacies on a prescription basis since 2003, and its manufacturing processes are recognized the world over as the finest in precision and purity. His work in management builds on his M.A. in International Administration and years of experience managing the production of cashmere and other fine fibers.

As mentioned above, our infusions expert and secondary cannabis testing laboratory operator is a chemist with extensive experience in executing cannabinoid extraction and food and beverage infusion as well as working in regulated laboratory facilities, including industrial food production and nutritional supplement contract manufacturing (both overseen by the FDA). She has operated a Cannabis processing facility and testing laboratory for nearly four years, where as head chemist she regularly produces food products and tinctures infused with precise doses of THC. Her methods are informed by the knowledge of Standard Operating Procedures (SOP) and current Good Manufacturing Practices (cGMP) as she has learned them after decades in regulated laboratory environments; additionally, her processes benefit from years of extensive customer feedback. To ensure proper practice, she has developed forms for tracking extracts and extracted material, and infused product production logbooks. Accordingly, her products boast distinctly precise and quantified doses, exceptional product stability (via appropriate use of

*RFP K430 Submittal Document*

matrices, packaging, and storage). She has offered pro bono consulting on extraction for producers operating on a small scale for personal needs. With her experience in consulting and applying SOPs and cGMPs, she is qualified to disseminate these processes so that other producers may achieve the same outcomes.

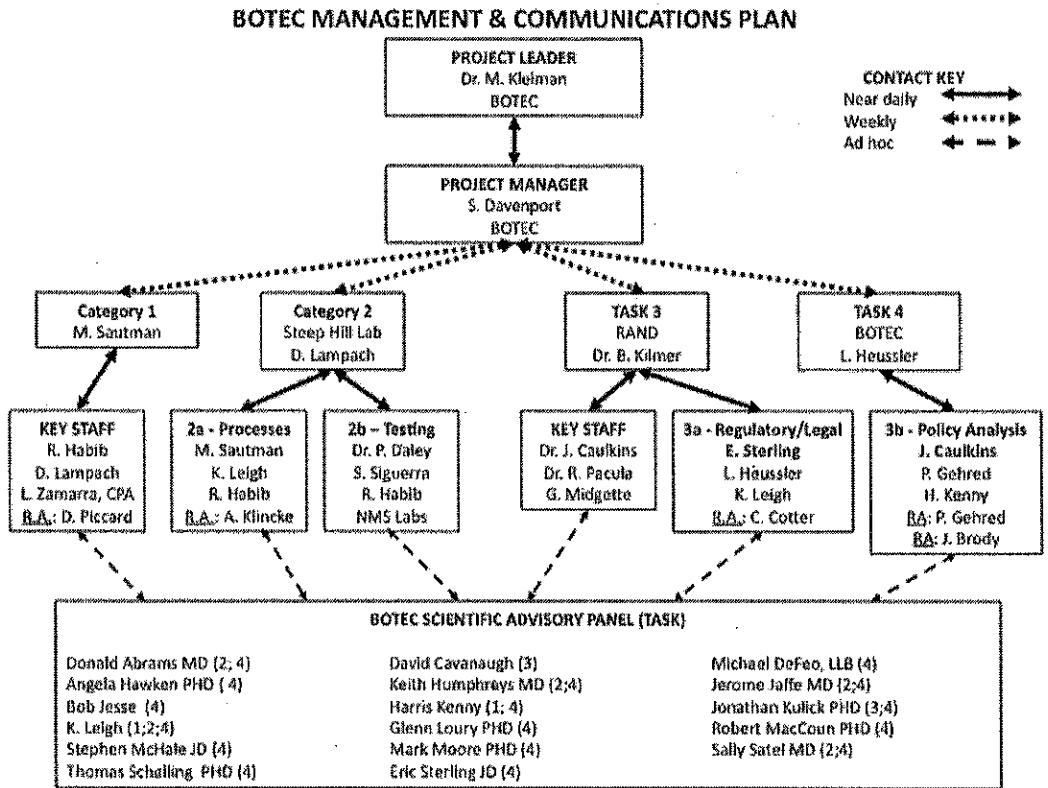
Our primary commercial medical marijuana testing lab was California's first, founded in 2007. They have contributed various innovations and acts of regulatory assistance to the medical marijuana market in California.

- **Safe Packaging:** The first safe packaging program in the country for bulk medical cannabis. This includes a product labeling and tracking component for all lots.
- **Remotely operated testing:** The only remotely operated instant (80 second) cannabinoid testing system in the medical cannabis market. Less accurate than conventional chromatography tests but quicker and cheaper per test, the Quantacann system uses ultra infrared technology to identify and analyze the moisture content of a cannabis sample. The system also provides a real time window into the state of cannabis within the network of testing machines.
- **Mendocino County Sheriff's 3<sup>rd</sup> Party Inspector:** Personnel of the lab engaged in over 50 hours of training with the Mendocino County Sheriffs Department, as a third party inspector to help implement the 9.31 exemption program. The personnel were given Sheriff ID cards in order to help large commercial producers become compliant with county ordinances.

Our forensic toxicology and clinical research laboratory has been performing the testing of controlled substances, including marijuana, for over 40 years. For most of this time, marijuana has been a Federally scheduled drug; accordingly, the majority of our forensic lab's experience has been with confiscated marijuana plants, processed marijuana for distribution, and various marijuana infused products and paraphernalia used to support marijuana usage. Due to their national and international experience with a wide variety of clients and materials, our forensic lab's staff has seen and tested a broad range of "packaging" of marijuana, from hundreds of kilo's of plant materials, to marijuana cigarettes, infused marijuana products, baked goods, oils, and all types of smoking and other drug paraphernalia. Their additional experience with other controlled substances, synthetic marijuana and pharmaceutical products gives us an understanding and vision of additional considerations that may be helpful to the Board.

In 2012 our DEA, ASCLD-LAB ISO 17025 regulated laboratory tested over 15,000 controlled substances and product containing controlled substances for law enforcement, defense community, hospitals, researchers, pharmaceutical companies and other clients. It is estimated that over 50% of these tests were to identify marijuana, marijuana infused products and paraphernalia used to support the use of marijuana. This experience in handling marijuana and associated products as well as other controlled substances and synthetic cannabinoids, gives our scientific staff substantial experience in understanding these products and handling them in a safe and regulated environment.

3. **Team Structure and Internal Controls.** In two (2) pages or less, please describe the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors. Please define how the firm will establish lines of authority for personnel who might be involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm.



Mark Kleiman, the CEO of BOTEC, will have overall project direction, with BOTEC managing director Steven Davenport coordinating administratively among teams and with WSLCB. Each of the four categories of activity identified in the RFP will have its assigned team with a designated team leader (Michael Sautman for Category 1, David Lampach for Category 2, Beau Kilmer for Category 3, and Lowry Heussler for Category 4, and in some cases sub-teams assigned to specific tasks. A preliminary set of assignments is reflected in the organization chart above. Each team will be able to draw on the extensive expertise of the scientific and legal advisory panel. For each member of that panel, the chart above lists the categories to which that person is mostly likely to contribute.

Our team will use a variant of “agile” project development (so named because it derives from agile software development) because expectation of client- and environment-driven requirements changes makes typical hierarchical or “waterfall” approaches impractical. The exception would be if and when there are primary data collection efforts, such as running focus groups with customers and/or potential store owners. Those activities will be run using the standard methods employed for management of field data collection, something in which our subcontractor RAND excels.

We refer to our particular instantiation as “task-oriented team management.” It draws on the blackboard metaphor for virtual team coordination, and has been tried and tested in the production of several major products. Importantly, most of the core team members have worked with most of the other team members before on projects at BOTEC (notably an ongoing effort to analyze policy concerning menthol cigarette markets and structural policy changes), RAND (e.g., a current effort to estimate the size of the marijuana, cocaine, heroin, and illicit methamphetamine markets), and writing

books (Caulkins, Hawken, Kilmer, and Kleiman used task-oriented team management to produce two full-length books published by Oxford University Press).

The blackboard metaphor refers to a common cloud-based artifact that identifies deliverables with (1) due dates, (2) owners or “pigs” in the argot, (3) versions, and (4) version control. This applies to both small deliverables to the client (e.g., memos and white papers of up to 3,000 words) and also “internal” deliverables to be combined with other internal deliverables to create an external deliverable. A key is to slice bigger deliverables into modules that can be comprehended in a single sitting, so each time someone takes ownership of a module it is possible to accomplish a discrete task and pass it on to someone else.

The owner is essentially the “project manager” for that module. In the spirit of open source software development, “all eyes” (everyone on the team) observe the blackboard, and the syntax of the versioning makes progress transparent without even opening the underlying documents. (Our usual syntax is “filename” & version number & date followed by a chronological list of the initials of those making iterative improvement passes on that version. E.g., “user survey question, v3, Feb 12 jpc mk ah” would indicate that Jon (Paul) Caulkins posted version 3 of the questionnaire design on February 12<sup>th</sup>, and that document was subsequently edited by Mark Kleiman and Angela Hawken.” When someone wants to “take down” a document from the public bulletin board to work on it, they announce that they are taking version control for the coming hours or day.

Closer to deadlines, the module owner may schedule a series of control windows and hand-offs. (E.g., a night own on the west coast takes version control from 10 PM – 2 AM Pacific time before passing the document to an early riser on the east coast who takes version control from 2 AM – 6 AM Pacific time (5 – 9 AM east coast), who passes it to someone on the west coast who will work on it during normal working hours.)

Our experience is that this rapid sequencing of sole ownership, akin to open-source software development, produces greater reliability of technical analysis than does the “Google docs” approach of simultaneous collaboration on a single cloud-based artifact.

The key is public accountability with respect to authorship (identified via versioning conventions) and timeliness; delays in a module are visible in real-time, so adjustments can be made before there are serious threats to timely completion relative to the (publically visible) due date.

The remaining points to make concerning the project management are assignment of “owners” and quality control.

Most assignments of owners to modules happen via self-selection. The overall project manager (Mark Kleiman) posts the spec to the blackboard, and someone volunteers to take ownership (responsibility) of delivering that module by the due date. Self-selection of responsibility enjoys many obvious advantages; each team member knows best his or her comparative advantages and schedules.

Nevertheless, each module falls within a domain that has a “chief engineer” (designated in the chart above) responsible for seeing that someone takes ownership if no volunteers emerge. Likewise, the chief engineer has the ultimate responsibility for making sure that a module stays on track and on time even if as a practical matter the “all eyes” approach means it is rarely necessary for a chief engineer to intervene overtly.

We will start with one chief engineer for each category described in the RFP. It is plausible that a juggling of the “boundaries” of the chief engineers’ responsibilities may make sense depending how the flow of work develops, but until the initial assignment is clarified, our team cannot identify task managers with certainty. However, at this time it appears that Category 1 will fall under the responsibility of Michael Sautman; Category 2 will recruit the strengths of Steep Hill Lab, NMS Labs, Jonathan Caulkins, and a mix of regulatory experts; Category 3 will draw heavily on the RAND team; and Category 4 (as well as the project as a whole) will be headed by Mark Kleiman. However, those task managers’ work need not be confined to those tasks. For instance, that structure would not preclude Mr. Sautman from contributing to a sub-task in Category 4, or recruiting Dr. Kleiman to write a sub-section of Category 1. Since the system is task-oriented rather than status-oriented, task hierarchy (with a task manager exercising supervision over team members) need not reflect “seniority” in the usual sense.

*RFP K430 Submittal Document*



4. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

Our team is headed by BOTEC Analysis Corporation, a think-tank specializing in crime and drug policy and acting as the primary contractor on the proposal. BOTEC has thirty years of experience contributing research and government advisory focusing on methods to maximize the effectiveness of crime and drug control policies while minimizing their attendant costs. Previous projects include analyses of the volume and danger of illicit cigarette markets, advising the implementation of criminal supervision programs intended to reduce drug abuse among parolees, and Federal research grants aiming to reduce incarceration and to explore the connection between crime and drugs. BOTEC CEO Mark Kleiman offers the Board his core staff of analysts, researchers, and evaluators, to be complemented by a highly selective and tight-knit network of experts. The group is assembled to provide a broad range of options and a depth of resources from which the Board may draw according to its particular needs.

BOTEC Analysis' core staff consists of Dr. Mark Kleiman (PhD Public Policy, Harvard Kennedy School), senior researchers Dr. Jonathan P. Caulkins (PhD Operations Science, MIT) and Dr. Angela Hawken (PhD Public Policy, RAND), general counsel Lowry Heussler, JD, and managing director Steven Davenport. Dr. Caulkins and Dr. Hawken are both professors of public policy and highly regarded contributors to the study of illicit markets, crime, and drug abuse. While Dr. Kleiman is tasked with overseeing the entire project team, Mr. Davenport's focus is to coordinate project activity.

BOTEC offers the WSCLB a wealth of experts in formalized marijuana cultivation and testing, quality standards, statistical modeling, policy analysis, dynamics of illicit markets, law enforcement, drug control, drug dependency, game theory, economics, and rule-making. They've occupied prestige positions ranging from Presidential Advisors to Nobel Laureate. The experts particular to this category include:

**Michael Sautman, former CEO, Bedrocan International. M.A. International Administration.**

As CEO of Bedrocan International, Inc. (BI, California, USA), Mr. Sautman is a leading expert in producing standardized cannabis products on an industrial scale in a regulated environment. His experience with BI is detailed above in question two.

In addition, Mr. Sautman has over 25 years of experience in natural product manufacturing. As CEO of California Cashmere Co., Inc., (1990-2005) he became a recognized expert in production of rare animal fiber products like cashmere, silk and camelhair. He founded manufacturing operations in Mongolia, China and the U.S. that provided rare fiber products to manufacturers and finished products to major department stores and designers. In 2007, he began negotiations with Bedrocan BV to bring their manufacturing system to the U.S. and other countries. After BI was formed in 2009, he has consulted lawmakers and regulators in Canada, Israel and several U.S. states regarding how medical marijuana is produced and distributed in the Netherlands. At BI, he initiated Bedrocan's medical marijuana drug approval program with Health Canada, the Canadian Ministry of Health. Mr. Sautman has a comprehensive understanding of how cannabis is manufactured around the world.

**Luigi Zamorra, CPA**

Formerly employed by Ernst & Young and PriceWaterHouse Coopers, Mr. Zamorra became the first CFO of Harborside Health Center. For the next two years Luigi was instrumental in making Harborside the model for transparency in the medical marijuana trade. He is credited with being the reason the federal enforcement officials have never raided HHC, as his work helped to ensure they were compliant with all state and local laws. He tightened their systems of internal controls and advised on how to track inventory from purchase or cultivation all the way to sale. He was involved in all aspects of the retail dispensary operation, from conducting meetings with patient-vendors, to helping to identify losses in inventory, to addressing complaints from patient-customers.

Currently, Luigi is a CPA for the Northern California medical marijuana industry through Henry Levy & Co., with clients all over California and Arizona, as well as clients in several other states. He handles roughly 50 to 70 clients in

*RFP K430 Submittal Document*

all facets of the distribution chain, including: clone manufacturers, cultivators, farms, edible manufacturers, concentrate manufacturers, grow-equipment retailers, dispensary operators, delivery companies and testing labs.

**Rose Habib, Chemist, CannabAnalysis. B.S. Chemistry**

Rose Habib is lead chemist at CannabAnalysis, a Cannabis laboratory specializing in testing and infusions and extracts. Her laboratory works with both large and small-scale producers and retailers, offering testing and processing services to convert plant material into safe, consistently dosed edibles and extracts.

Ms. Habib has over twenty years of experience in regulatory laboratory facilities in multiple industries, including industrial food production and nutritional supplement contract manufacturing. She is a forceful advocate for proper protocols and recommended practices for laboratory testing and infused product manufacturing, for instance in her capacity as advisor to AHPA's efforts to develop proper quality standards. Ms. Habib successfully combines her technical skills from regulated laboratory work and her management skills implicit in her success as a small business owner and transfers these to her laboratory and advisory work. She collects extensive customer feedback from clientele and strictly uses extracting, infusion, and packaging methods that have been formally tested and approved by regulatory bodies such as AHPA.

**David Lampach, President, Technological development, Steep Hill Lab.**

As a co-founder of Steep Hill Lab, Mr. Lampach has played central roles in his laboratory's innovations in the marijuana testing industry, including the development of QuantaCam, SafeCannabis, and the first cannabis safe packaging and labeling protocol in the U.S. He is an expert in applying technology and analytical instruments most appropriate for analyzing cannabis samples (GC-FID, GC-MS, HPLC, HPLC-MS, NIR Reflectance Spectroscopy). He has also developed software to make the cannabis distribution chain more efficient and transparent. Mr. Lampach was selected by the Mendocino County Sheriff's department to implement the county's 9.31 program, in which he inspected and assisted large commercial producers in their compliance with county law. In addition, he is a skilled cannabis producer and has consulted dozens of producer on proper technique and problem mitigation.

**NMS Labs**

NMS Labs features a robust staff with superlative scientific pedigrees, including over 10 PhD's in Forensic Toxicology, Pharmacology, Analytical Chemistry, Molecular Biology and Mathematics. It is the first private laboratory to receive American Board of Toxicology laboratory accreditation for forensic toxicology analysis. It participates in over 20 mandatory and voluntary proficiency tests to assure the accuracy of testing required in the scientific community. NMS Labs holds certifications to identify and test marijuana (ASCLD-LAB International ISO 17025), to test biological substances (ISO 15189), and to handle and dispose marijuana (DEA-licensed). Its staff include members of the Board of Directors for the American Board of Forensic Toxicology, a recipient of the National Safety Council's Robert F. Borkenstein Award and of the American Academy of Forensic Sciences' (AAFS) Rolla N. Harger Award, and many other top honors.

**Harris Kenny, Policy Analyst, Reason Foundation**

Mr. Kenny serves on the Amendment 64 task force on the Local Authority and Control Working Group, and works as a policy analyst at Reason Foundation, a non-profit think tank. He is also on track to complete his Basic and Advanced Certificates of Completion from Oaksterdam University, the first and premiere cannabis-centric educational institution in the United States, by February 28, 2013. His courses cover the entire production and retail processes.

**Dr. Mark Kleiman, CEO, BOTEK Analysis Corporation. Ph.D. Public Policy, Harvard.**

Dr. Kleiman teaches public policy at UCLA, and is an expert in many aspects of criminal and drug policy, including probation and parole, incarceration, and marijuana policy. Recent author of *Marijuana Legalization: What Everyone Needs To Know* co-authored with Jonathan Caulkins, Angela Hawken, and Beau Kilmer, and *When Brute Force Fails*. Other publications include:

- M. Kleiman, *Marijuana: Costs of Abuse, Costs of Control* (Greenwood, 1979)
- M. Kleiman, *Against Excess: Drug Policy for Results* (Basic Books, 1993)

**Dr. Beau Kilmer** (PhD in Public Policy, Harvard University) is Senior Policy Researcher at the RAND Corporation, Co-Director of the RAND Drug Policy Research Center, and Professor at Pardee RAND Graduate School.

*RFP K430 Submittal Document*

**Dr. Jonathan Caulkins** (PhD in Electrical Engineering and Computer Science, MIT) is H. Guyford Stever Professorship of Operations Research and Public Policy at Carnegie Mellon University and former Co-Director of the RAND Drug Policy Research Center.

**Dr. Rosalie Liccardo Pacula** (PhD in Economics, Duke University) is Senior Economist at the RAND Corporation, Co-Director of the RAND Drug Policy Research Center, Professor at Pardee RAND Graduate School, and Director of RAND Health's Program on Economics, Finance, and Organization.

## **CATEGORY 2 – PRODUCT QUALITY STANDARDS AND TESTING**

Please answer the questions listed below, attaching additional pages as necessary:

5. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm’s ability, capacity, skills and/or expertise in Product Quality Standards and Testing, including but not limited to the following:
- a. Knowledge of the infrastructure required to test Marijuana to ensure product quality, content, ingredients and consumer safety considerations
  - b. Assisting the WSLCB with establishing quality standards for testing Marijuana

### **Introduction**

Our Category 2 (Product Quality Standards and Testing) team is composed of a wide-ranging group of experts on proper marijuana testing procedures, on establishing Product quality standards, and on the variety of testing standards and quality control measures in use on both a local and international scale. The team can combine the knowledge and skills of three leading laboratories with those of experts who have conducted production processes involving marijuana products in highly regulated environments and are familiar with the practical demands of quality assurance and standards compliance, and with the impacts of regulations on production costs.

The testing sub-team boasts three highly regarded laboratories: Steep Hill Lab, a commercial marijuana testing lab at the forefront of cannabis-related consumer safety since its founding in 2007 and a standard-bearer for rigorous testing and certification of marijuana; CannabAnalysis, a Montana-based commercial lab of a smaller scale and known for its exceptional precision, operated by our expert in infusions; and NMS Labs, a DEA-licensed forensic toxicology lab with forty years of experience handling and testing controlled substances, including marijuana. Our range of laboratory partners is designed to offer the WSLCB complementary skills; together they possess expertise and experience with marijuana in all of its forms from flower, extract, ingested, or “synthetic”, and all its phases, from “seed to sale.”

The sub-team focused on standard operating procedures and regulations brings together experts with diverse experiences: a former CEO of Bedrocan International, the world’s sole producer of entirely licit cannabis for sale to end-users, who managed its cannabis production practices; a chemist at CannabAnalysis with decades of experience operating in regulated laboratory environments and years of experience contributing regulatory advice to the American Herbal Products Association (AHPA); a Colorado attorney with extensive experience shaping regulations in Colorado; and a professor of Operations Science at Carnegie Mellon.

To complement this technical background, the product quality and testing team will have access to the expertise of BO Tec’s array of senior scientists, policy analysts, physicians, and attorneys, including experts on marijuana use and abuse and on the economic analysis of both licit and illicit drug markets and on the regulatory issues involved in crafting and enforcing product quality and testing standards.

The combination will allow the team to provide WSLCB with state-of-the-art advice on how to design and enforce quality standards and testing and labeling requirements, within the capacity of cost-effective laboratory technology. The goal is to ensure that buyers have access to marijuana not only free of excess contaminants but also accurately labeled as to its content of active agents, thus reducing the risks of unintentional over-intoxication, anxiety, and panic attacks. Reducing these risks might reduce health-care utilization, including expensive emergency room visits. It is possible that accurate and clear labeling might “nudge” the market towards products with lower THC content and lower THC:CBD ratios; research suggests that such products might be less risky with respect both to acute bad experiences and to developing substance abuse disorders.

### **Knowledge of the infrastructure required to test marijuana to ensure product quality, content, ingredients and consumer safety considerations**

The team consists of labs and credentialed members that include those at the forefront of marijuana standard development, testing, and certification. The team will help WSLCB with:

- Establishing minimum standards for testing and confirming product safety from microbiological contaminants (i.e., molds, bacteria, yeast) and pesticides in order to protect the health and safety of users.
- Creating testing standards and protocols for Product testing of THC/CBD levels and ratios.

- Formulating labeling standards, consistent with State law, so that the consumers can make choices appropriate to their needs.

Our labs and testing experts use methodologies compliant with a wide range of standards appropriate to their operating processes. Our forensic toxicology lab is qualified to identify and test marijuana for introduction as evidence (ASCLD-LAB International ISO 17025 certified) and trusted and required by the Federal government to perform handling and disposition of marijuana (DEA licensed). The mold, yeast, and bacteria testing programs of our larger commercial lab comply with the standards set forth by the United States Pharmacopoeia, The World Health Organization, and the American Herbal Products Association (AHPA). That lab's internal sample handling and storage procedures are based on DEA protocol for Schedule I controlled substances, requiring a secure chain of custody for sample handling, secure methods of storage, proper sample destruction, and efforts to prevent sample diversion into the black market.

Compliance with these standards and credentials requires fluency in appropriate laboratory equipment and infrastructure. Our forensic laboratory's ISO 17025 certification requires proper implementation of rigorous quality management systems, exceptional testing accuracy and maintenance of testing equipment. (No commercial marijuana testing lab in the country holds these credentials.) Our larger commercial lab regularly performs tests on cannabis samples with a wide range of appropriate methods, including GC-FID, GC-MS, HPLC, HPLC-MS, and NIR Reflectance Spectroscopy.

#### **Assisting the WSLCB with establishing Product Quality Standards**

The team consists of labs and individual experts with valuable and complementary experiences dealing with quality standards, formalizing operations, and certified laboratory work and understand all aspects of Marijuana—from seed, to growing practices, cultivation, harvesting, curing, and processing—and the variable effects each has on maintaining quality of Product.

Our experts have familiarity with operating under distinctly different pharmaceutical and manufacturing standards across the world. Our cannabis cultivation manager has worked to earn methods of cannabis production FDA approval and Canadian medicinal approval. He has operated under the standards set by the Dutch Ministry of Health's Office of Medicinal Cannabis, providing services in production consulting including Canada, Israel, Oregon, Brazil, and the U.S. Our infusions expert brings twenty years of experience producing nutritional supplements and four years of experience extracting and infusing THC in Montana.

Our experts are skilled in the art of formalizing manufacturing processes – horticultural and chemical – and operating under and verifying those formalizations. One expert helped create a Common Technical Document for a cannabis manufacturing process for use in clinical trial applications and has used this material to apply for approval as a regulated drug. The same expert is a skilled manager of manufacturing processes of rare fiber and finished products. Our extracts chemist has skills in precise formations harnessed through decades in industrial food production and nutritional supplement contract manufacturing. One of our labs is a frequent innovator of new methods in cannabis testing and handling, including testing-and-packaging certification systems and low-cost remote chemical identification of Marijuana modules.

Our experts are well-informed, articulate, and active proponents of the need for Product quality standards and actively engage other firms, labs and associations in this regard. One of our labs is a founding member of the Association of California Cannabis Laboratories, a body designed to encourage the widespread adoption of tested and effective quality standards in commercial testing. One of our experts has advised the American Herbal Products Association (AHPA) on formalizing proper methods of extraction. Our forensic toxicology lab staff includes trained laboratory inspectors for regulatory agencies and scientific organizations and are fluent in the best and worst practices in laboratory quality, certifications, and validation mechanisms.

Our forensic toxicology lab has a unique understanding of, and experience with, potentially dangerous strains of cannabinoids and related chemicals, which may fall beyond the current perspective of commercial marijuana testing labs. The lab is trained to detect other contaminants and “enhancing drugs” that may be added to Marijuana products to increase their desirability to users and abusers, any of which may increase risks for dependency and social costs of intoxication. The lab's experience in testing for related chemicals such as “Synthetic Marijuana” and Bath Salt

Compounds informs this expertise. In the case that these related compounds are altered to legally classify as cannabinoids – thereby ushered into the licit market – their expertise will be essential to promptly responding to associated issues of public safety. The forensic toxicology lab currently has a dedicated Center of Innovation devoted to research and development for laboratory testing of synthetic cannabinoids and continuing education of the scientific, health and law enforcement communities.

6. **Experience.** In two (2) pages or less, please describe your firm's experience in the Product Quality Standards and Testing field, as it relates to Marijuana.

The primary contractor, a research and government consulting and advisory firm that has managed, overseen, and performed projects in the field of criminal and drug policy for the past 30 years, has brought a number of highly qualified testing and quality standards experts onto our team. Our team offers the oldest commercial marijuana testing lab in California, a DEA-licensed clinical research and forensic toxicology lab which has dealt with marijuana ever since it has become a Federally-controlled substance, and a Montana-based commercial testing lab which has operated since that state's legalization of medical marijuana.

Our labs have tested an immense number of samples, from both a commercial and forensic perspective. One of our commercial labs was the country's first medical marijuana lab and has tested over 60,000 samples and may be the largest testing lab in the country. In 2012 alone, our forensic toxicology lab performed laboratory testing of over 15,000 drug samples, with more than half of this testing performed for Cannabinoid identification in botanicals and various Marijuana Products.

Our labs have worked in compliance with and/or cooperation with government bodies. Our forensic toxicology lab complies fully with regulations imposed by Federal enforcement authorities, a central stakeholder in Initiative 502's implementation. One of our commercial testing labs is a certified Mendocino County Third Party Inspector for collective cooperative producers seeking to expand the scope of their operations as permissible under Mendocino County Code 9.31. (This includes the zip tie program, intended to prevent diversion into the illicit market by tracking all product as it moves through the supply chain.)

Our labs have been active at the forefront of cannabis-related consumer safety and have been central to the movement to apply to medical cannabis the same standards as other herbal products and drugs. One of our commercial labs has made advisory contributions to AHPA in shaping its standards. Another of our commercial labs is a member of the ACCL (Association of California Cannabis Laboratories), has worked to encourage other labs to adapt similar protections and will be instrumental in helping develop infrastructure for Washington-based labs. They have pioneered several products and methodologies:

- The nation's first non-federal cannabis potency testing program.
- The nation's first cannabis testing program for mold, yeast, and bacteria.
- Testing programs for pesticides, terpenoids and minor components, and trace VOC residue in concentrates.
- An independent certification system to assure customers that the product is pure, pesticide-free, and properly measured for potency. The certification seal is awarded at the end of a testing and packaging process. Product is loaded into nitrogen-sealed 1-pound bags, from which 4-gram samples are extracted and tested for excessive levels of microbiological contaminants and pesticide residues. Upon passing the test, the seal is affixed to the sealed package, assuring the purity of the cannabis and the quality of the packaging.
- The first inert gas safe packaging and labeling protocol for medical cannabis in California. This proprietary packaging provides a standardized tamper-proof nitrogen packaging, to keep the cannabis fresh, reduce opportunities for mold and bacterial growth, prevent degradation, and ensure product safety, quality, and labeled potency.
- The first instant cannabis potency testing program, which also allows testers and regulators new tools to track and trace products through the supply chain. Operating with near infrared (NIR) technology and RFID tags, the system is designed with the potential to provide central authorities a real time window into the character of medical cannabis samples tested within its instrument network. If pursued, the system may offer benefits to inventory tracking and diversion control. The product also has the distinction of being the only truly "green" cannabis testing system available, using no harmful chemicals.

Our labs and experts have made valuable contributions to existing quality standards and trade associations supporting such standards. One of our labs is a founding member of the Association of California Cannabis Laboratories (ACCL), which works to disseminate and popularize appropriate procedures and consumer safeguards.

Our commercial testing lab has implemented testing program for mold, yeast, and bacteria in compliance with the standards set forth by the United States Pharmacopoeia, The World Health Organization, and the American Herbal

*RFP K430 Submittal Document*

Products Association. The lab's internal sample handling and storage procedures are based on DEA protocol for Schedule I controlled substances; the procedures require a secure chain of custody for sample handling, secure methods of storage, proper sample destruction, and efforts to prevent sample diversion into the black market.



7. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

Our team is headed by BOTEC Analysis Corporation, a think-tank specializing in crime and drug policy and acting as the primary contractor on the proposal. BOTEC has thirty years of experience contributing research and government advisory focusing on methods to maximize the effectiveness of crime and drug control policies while minimizing their attendant societal costs. Previous projects include analyses of the volume and danger of illicit cigarette markets, advising the implementation of criminal supervision programs intended to reduce drug abuse among parolees, and Federal research grants aiming to reduce incarceration and to explore the connection between crime and drugs. BOTEC CEO Mark Kleiman hopes to bring to the WSLCB his core staff of analysts, researchers, and evaluators, to be complemented by a highly selective and tight-knit network of experts. The group is assembled to offer a broad range of options and a depth of resources from which the WSLCB may draw according to its particular needs.

BOTEC Analysis' core staff consists of Dr. Mark Kleiman (PhD Public Policy, Harvard Kenned School), senior researchers Dr. Jonathan P. Caulkins (PhD Operations Science, MIT) and Dr. Angela Hawken (PhD Public Policy, RAND), general counsel Lowry Heussler, and managing director Steven Davenport. Dr. Caulkins and Dr. Hawken are both professors of public policy and highly regarded contributors to the study of illicit markets, crime, and drug abuse. While Dr. Kleiman is tasked with overseeing the entire project team, Mr. Davenport's focus is to manage day-to-day project developments and coordinate project activity.

BOTEC offers the WSLCB a wealth of experts in formalized marijuana cultivation and testing, quality standards, statistical modeling, policy analysis, dynamics of illicit markets, law enforcement, drug control, drug dependency, game theory, economics, and rule-making. They've occupied prestige positions ranging from Presidential Advisors to Nobel Laureate. The experts particular to this category include:

**Dr. Mark Kleiman, CEO, BOTEC Analysis Corporation.** Ph.D. Public Policy, Harvard.

Dr. Kleiman teaches public policy at UCLA, and is an expert in many aspects of criminal and drug policy, including probation and parole, incarceration, and marijuana policy. Recent author of *Marijuana Legalization: What Everyone Needs To Know* co-authored with Jonathan Caulkins, Angela Hawken, and Beau Kilmer, and *When Brute Force Fails*. Other publications include:

- M. Kleiman, *Marijuana: Costs of Abuse, Costs of Control* (Greenwood, 1979)
- M. Kleiman, *Against Excess: Drug Policy for Results* (Basic Books, 1993)

**Rose Habib, Chemist, CannabAnalysis.** B.S. Chemistry

Rose Habib is lead chemist at CannabAnalysis, a Cannabis laboratory specializing in testing and infusions and extracts. Her laboratory works with both large and small-scale producers and retailers within Montana, offering testing and processing services to convert plant material into safe, consistently dosed edibles and extracts. Ms. Habib has over twenty years of experience in regulatory laboratory facilities in multiple industries, including industrial food production and nutritional supplement contract manufacturing. She speaks vocally and lucidly about proper protocols and recommended practices for laboratory testing and infused product manufacturing, for instance in her capacity as advisor to AHPA's efforts to develop proper quality standards. Ms. Habib successfully combines her technical skills from regulated laboratory work and her management skills implicit in her success as a small business owner and transfers these to her laboratory and advisory work. She collects extensive customer feedback from clientele and strictly uses extracting, infusion, and packaging methods that have been formally tested and approved by regulatory bodies such as AHPA.

**Michael Sautman, former CEO, Bedrocan International.** M.A. International Administration.

As CEO of Bedrocan International, Inc. (BI, California, USA), Mr. Sautman is a leading expert in producing standardized cannabis products on an industrial scale in a regulated environment. BI operated as the international affiliate of Bedrocan BV (Netherlands), the only company in the world licensed to produce multiple, diverse cannabis varieties for patients under a national program. Regulated by the Dutch Ministry of Health's Office of Medicinal

Cannabis (OMC), Bedrocan's botanical products are manufactured in accordance with Good Agricultural Practices (GAP) and adhere to World Health Organization (WHO) standards for the production of botanical drugs. Bedrocan's pharmaceutical-grade cannabis has been sold in Dutch pharmacies on a prescription basis since 2003, and its manufacturing processes are recognized the world over as the finest in precision and purity.

Mr. Sautman has over 25 years of experience in natural product manufacturing. As CEO of California Cashmere Co., Inc., (1990-2005) he became a recognized expert in production of rare animal fiber products like cashmere, silk and camelhair. He founded manufacturing operations in Mongolia, China and the U.S. which provided rare fiber products to manufacturers and finished products to major department stores and designers. In 2007, he began negotiations with Bedrocan BV to bring their manufacturing system to the U.S. and other countries. After BI was formed in 2009, he has consulted lawmakers and regulators in Canada, Israel and several U.S. states regarding how medical marijuana is produced and distributed in The Netherlands. At BI, he initiated Bedrocan's medical marijuana drug approval program with Health Canada, the Canadian Ministry of Health. Mr. Sautman has a comprehensive understanding of how cannabis is manufactured around the world.

**David Lampach, President, Technological development, Steep Hill Lab.**

As a co-founder of Steep Hill Lab, Mr. Lampach has played central roles in his laboratory's innovations in the marijuana testing industry, including the development of QuantaCann, SafeCannabis, and the first cannabis safe packaging and labeling protocol in the U.S. He is an expert in applying technology and analytical instruments to the most appropriate for analyzing cannabis samples (GC-FID, GC-MS, HPLC, HPLC-MS, NIR Reflectance Spectroscopy). He has also developed software to make the cannabis distribution chain more efficient and transparent. Mr. Lampach was selected by the Mendocino County Sheriff's department to implement the county's 9.31 program, in which he inspected and assisted large commercial grows in their compliance with county law. In addition, he is a skilled cannabis producer and has consulted dozens of producers on proper technique and problem mitigation.

**Paul Daley, Research Chemist, Steep Hill Lab.** PhD, Entomology, UC Berkeley; M.S. Entomology, B.S. Environmental Toxicology, UC Davis.

Dr. Daley has over 30 years experience in a variety of environmental and analytical disciplines. He has published research in integrated pest management, plant photosynthesis, and environmental chemistry. He has assisted SHL in method development for cannabinoids in medical cannabis strains, method validation, troubleshooting instrumentation, and isolation of rare cannabinoids for use as analytical reference materials. He is also the Resident Chemist at the Alexander Shulgin Research Institute in Lafayette, CA, where his work focuses on the chemistry and pharmacology of psychoactive drugs, particularly the psychedelics.

**Savino Sguerra, Lab Director, Steep Hill Lab. B.S. Columbia University.**

Mr. Sguerra oversees the day-to-day management of the lab and tests thousands of samples of cannabis a month for potency, mold and bacterial counts, pesticides, terpenoids, moisture content, and various other types of analysis.

**NMS Labs**

NMS Labs features a robust staff with superlative scientific pedigrees, including over 10 PhD's in Forensic Toxicology, Pharmacology, Analytical Chemistry, Molecular Biology and Mathematics. It is the first private laboratory to receive American Board of Toxicology laboratory accreditation for forensic toxicology analysis. It participates in over 20 mandatory and voluntary proficiency tests to assure the accuracy of testing required in the scientific community. NMS Labs holds certifications to identify and test marijuana (ASCLD-LAB International ISO 17025), to test biological substances (ISO 15189), and to handle and dispose marijuana (DEA-licensed). Its staff include members of the Board of Directors for the American Board of Forensic Toxicology, a recipient of the National Safety Council's Robert F. Borkenstein Award and of the American Academy of Forensic Sciences' (AAFS) Rolla N. Harger Award, and many other top honors.

8. **Approach and Methodology.** In two (2) pages or less, please provide a complete description of your firms' proposed approach and methodology to be used in assisting the WSLCB to develop a reputable protocol for Product Quality Standards and Testing as requested in this RFP, to determine TCH/CBD levels and/or ratios, mold or chemical contaminants, and Product strain.

The complexity and expense of marijuana testing would make it virtually impossible for the WSLCB to staff and equip itself to perform testing in-house. That task will be delegated to outside laboratories, either public or private, acting under contract to producers and processors. The WSLCB's decisions will involve creating and enforcing standards for testing and labeling, certifying laboratories, and developing and executing an inspections process designed to verify that test results are produced and reported accurately and that product labels properly reflect package contents. The WSLCB needs to determine: (1) maximum levels of harmful contaminants; (2) statistical error tolerances for the measurement of active agents; (3) certification processes for laboratories; (4) an inspections process; and (5) a recall process for contaminated or mislabeled product. The Board might also want to establish maximum THC levels and/or THC:CBD ratios, despite the reality that an adequate scientific basis for such standard-setting does not yet exist. Our Team will assist the WSLCB along all these dimensions.

### **Step 1. Assist the WSLCB to set appropriate tolerance levels for product contaminants**

Before developing testing methodology and other guidelines to minimize contaminants, it is important to develop tolerance levels for Product contaminants, particularly those included in U.S. Pharmacopeia standards:

- Microbiological contaminants: Molds and bacteria such as *Aspergillums*, *Salmonella enteric*, *Pseudomonas aeruginosa*, *Staphylococcus aureus*, yeasts and *Escherichia Coli*.
- Pesticides
- Heavy metals and other physical contaminants, like animal dander and glass.

Marijuana can become contaminated with microbiological agents at any point during production through packaging and distribution, which can be a huge deal if not regulated. It is estimated that upwards of 30% of people are allergic to mold and suffer adverse health effects because of it. Certain molds are pathogenic, meaning they are able to infect and cause disease in human beings. There is no current consensus on how many CFU/g of the various molds or bacteria are acceptable; different recommendations are set forth by the American Herbal Products Association, the World Health Organization and the European Pharmacopoeia. The team understands these differences and will help WSLCB determine how best to balance competing objectives in determining how stringent the standards ought to be.

Pesticides used in growing operations can be present in the final Product form, and are known as residual pesticides. Pesticide residues can pose a serious threat to consumer and environmental safety, with varying impacts, but – unlike any other agricultural product intended for ingestion by humans, marijuana is not subject to EPA Pesticide Tolerance Limits Steep Hill Lab has detected the presence of pesticide residue in medical cannabis samples that would be above levels considered to be safe by USDA standards in most agricultural products. USDA standards for tobacco and for hops may help in the development of tolerance guidelines.

Heavy metals can appear in certain cannabis samples depending on soil or nutrient composition; acceptable content should conform to FDA limits. However, cost issues may make heavy metal tests difficult to impose. These tests require their own unique and expensive equipment (acid digestions require additional lab space and exhaust) such that running them in-house may be prohibitively expensive; meanwhile, laboratories currently equipped to perform the task often lack the clearance to handle cannabis samples. The Team would assist the WSLCB weigh these issues of cost and efficiency against health risks.

### **Step 2. Assist the WSLCB determine statistical error tolerances for measuring active agents, and product labeling processes to convey that information to consumers**

The accuracy of testing and labeling is limited by the inherent heterogeneity of an unblended product. Even if the THC and CBD contents of a single plant are known exactly, the psychoactive chemicals within each flower on that plant

might vary substantially. These variations are further exacerbated if sampling is performed on an entire batch of plants at once. These natural variations of psychoactive chemicals should be accounted for as an expected margin of error. Once quantified, this expected margin of error should be prominently displayed on the product's potency label, so that the consumer understands both the quantity likely to produce the desired effect and the risk of accidental overdose. In addition, WSLCB may want to set maximum error margins, so as to remove from the licit market product of unpredictable potency. Our team can calculate the likely costs of various levels of stringency in this regard. One approach would be to require blending or granulation to minimize lot-to-lot variability; focus groups could help determine the extent to which consumers would accept the resulting product rather than seeking whole, unblended flowers on the illicit market.

Once the content of THC and CBD has been determined to the required standard of accuracy, that information needs to be converted into forms readily understandable by consumers. One approach would be a combination letter-and-number and color-code arrangement – in addition to numerical labeling – designed not only to inform consumers but to “nudge” them in the direction of less hazardous forms of marijuana. (Such a possible system is described in more detail in the “methods and approach” section under Category 4.)

### **Step 3. Determine certification processes for laboratories.**

Product testing laboratories must ensure both that all product that reaches consumers meets the standards set by WSLCB and that the label on each lot appropriately reflects the product inside. Thus they perform what is in effect a regulatory function, enforcing the rules set by WSLCB. But unless the state uses its own laboratories, the testing labs will also be commercial enterprises, whose customers are the producers and processors whose activities the labs help regulate. Some industry participants would voluntarily choose labs of high competence and integrity, and some consumers would be able to identify well-tested product and be willing to pay a premium for it. But less scrupulous firms would either try to save money by using the cheapest testing available or seek out labs willing to misreport results to conceal harmful contaminants or misrepresent product quality. Thus WSLCB needs to establish and enforce standards for the laboratories themselves: to “watch the watchmen.” There needs to be some process by which a laboratory becomes qualified – and, if necessary, disqualified – for doing this important work.

Standards for certification can include verification of appropriate equipment, training, and practices on the one hand and random verification of results on the other. WSLCB will either create its own certification process or adopt (or adapt) existing processes of public agencies and industry self-regulatory bodies.

The team will advise WSLCB on the range of options, and the likely outcomes (in cost, quality, and integrity) of adopting one rather than another. Preference ought to be given to methodologies and standards that have been scientifically and independently tested.

One element of certification is validation: the repeated verification that the results produced by a laboratory match the facts to within required tolerances. The team will assist the WSLCB to determine optimal validation methods, including processes to verify equipment calibration, personnel credentials, and laboratory methodologies.

Whatever methods are finally determined to be acceptable to the state, validation will need to be conducted initially and on an ongoing basis. Validation entails proving that the accepted methods work presently and continue to work over time. According to the advised method validation, all aspects of methodologies ought to be tested and proven to be valid, including efficiency, optimization, repeatability by personnel, repeatability by different instrumentation, and different laboratories.

### **Step 4. Assist the WSLCB Determine an Inspections Process**

Producers, processors, retailers, and laboratories themselves will all face financial incentives to depart from rules established by WSLCB when doing so reduces costs or increases sales. WSLCB therefore needs to create an inspections process to verify compliance, using the principles of statistical quality assurance while also following up on evidence of potential mis- or mal-feasance derived from consumer, official, or journalistic reports.

Insofar as that inspections process requires laboratory work, WSLCB – as part of its ongoing regulatory responsibilities as opposed to the initial rulemaking phase – may chose to use either a state-owned laboratory or a private laboratory under WSLCB contract for that portion of the inspections process, , since it would be uneconomic for WSLCB to build it own lab, while labs under contract to industry participants cannot be expected to inspect themselves or their clients.

**Step 5. Assist the WSLCB Determine a Recall Process for Contaminated or Mislabeled Product**

Contaminated or mislabeled product must be removed from the market and destroyed, and the destruction carried out in a way that allows WSLCB to verify that the recalled product has not in fact been either returned to the stream of licit commerce or sold “out the back door.”

The team will assist the WSLCB to assess the usefulness of various comparable recall processes, such as the rigorous processes used for controlled substances under the federal Controlled Substances Act, product recall processes for other pharmaceuticals mandated by the Food and Drug Administration, and the simpler processes mandated in the state of Colorado.

### **CATEGORY 3 – PRODUCT USAGE AND CONSUMPTION VALIDATION**

Please answer the questions listed below, attaching additional pages as necessary:

9. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, and skills and/or expertise to estimate Product Usage and Consumption levels by geographic areas in Washington State.

#### **Introduction**

Our Category 3 Product Usage and Consumption Validation team is comprised of a multi-disciplinary and highly-skilled team of researchers, policy makers, economists, statisticians, pricing experts, government advisors and business analysts experienced in the field of criminal and drug policy and with substantial background in marijuana policy. A number of team members have worked on successful marijuana regulation engagements in other jurisdictions.

Our team has the capacity, ability, skills and expertise to estimate Product usage and validate Marijuana consumption amounts and patterns at the state and sub-state levels on an annual basis, all of which is needed to implement a successful Marijuana Program.

Specifically, our team will provide the Washington State Liquor Control Board (WSLCB) with supply and demand data necessary to understand resource allocation, pricing, and projected revenue related to I-502 implementation and to ensure that measures to control supply are adequately developed so that pricing is kept at or below black market levels. Our team is well versed in Product usage paradigms and psychographic-based Product consumption data. Monitoring supply relative to demand is important given its impact on pricing and both producer and consumer willingness to remain within the confines of the program. Program participation and tenure is important to the success of I-502 in terms of consumer safety, for producer participation, quality control, and ultimately revenue and successful revenue prediction. Accurate supply and demand estimates are critical when deciding on the number of production licenses to issue both in the initial allotment and later on.

#### **Team Capacity to Estimate Product Usage and Consumption Levels by Geographic Areas**

The team includes the best and brightest in the field of drug policy, demography, economics, accounting, and statistics/data analysis. These experts have been deliberately selected and assembled in a single team to assist the WSLCB in measuring Product usage and consumption levels by State and county levels and along psychographic dimensions.

BOTEC Analysis Corporation is a research and government consulting and advisory firm that has managed, overseen, and worked on similar engagements in the field of criminal and drug policy for the past 30 years. Since its founding, BOTEC has contributed research and government advisory in the fields of criminal and drug policy. Previous areas of work include evaluating community correction programs, estimating the volumes, dangers, and trends of illicit markets, and advising local governments on violence-reduction and incarceration-reform programs. BOTEC is led by CEO Mark Kleiman, Ph.D. Public Policy, Harvard Kennedy School. Dr. Kleiman teaches public policy at UCLA, and is an expert in many aspects of criminal and drug policy, including probation and parole, incarceration, and marijuana policy. Recent author of *Marijuana Legalization: What Everyone Needs To Know* co-authored with Jonathan Caulkins, Angela Hawken, and Beau Kilmer, and *When Brute Force Fails*.

RAND Drug Policy Research Center is a nationally acclaimed drug policy research center comprised of veteran economists, public policy authorities, computer science professionals, finance specialists, and data and operations research experts. RAND Drug Policy Research Center has extensive skills, expertise and experience estimating the size of marijuana markets in the U.S. and abroad; this expertise will be an invaluable base to assist the WSLCB in detailing Marijuana use (total, medical, and recreational) by State and County-levels and projecting volume needed.

RAND Statistics Group is one of the top applied statistics group in the United States. The Group consists of eighteen doctoral-level statisticians, and eight masters-level statisticians. RAND statisticians contribute at all stages of a research project, including collaboration on design, sampling, measurement, analysis, computing, and presentation of the results. In the areas of design, sampling, and measurement, group expertise includes knowledge about clinical

trials, complex survey design and analysis, experimental design, observational study design, computer experiments, survey non-response, imputation and other methods for dealing with missing data, measurement error, psychometrics and scaling, and web-based survey methods. RAND Statistics Group specializes in working with policy issues and dealing with massive datasets, longitudinal data analysis, and causality, among other things.

One of RAND's team members, Dr. Rosalie Pacula is an economist who brings considerable experience understanding the incentives and private/public consequences of different market structures, regulations, and the like. She has published extensively on the supply, demand, and the interacted markets (e.g. alcohol) related to marijuana for over 15 years and wrote one of the first books (*Cannabis Use and Dependence: Public Health and Public Policy*, Cambridge University Press 2003) that described in detail how cannabis might be legalized with a goal of minimizing public health harm. She has examined in detail a variety of marijuana-specific state level policies aimed at reducing harms, including decriminalization policies and medical marijuana policies, looking at the legal and economic aspects of these laws that may or may not make them effective.

Our individual team members contribute expertise in a broad range of social science disciplines and professional skills:

- Luigi Zamarra, CPA, and former Chief Financial Officer of Harborside Health Center, implemented a rigid accounting system at Harborside that helped ameliorate federal concerns regarding product diversion. His accounting expertise will be critical in setting up the program for tracking Product use and consumption over time and within the State.
- Rob MacCoun, a behavioral scientist on the faculty of UC Berkeley Law School who has extensive knowledge and background on the functioning of the Dutch medical marijuana system and will inform the team on lessons learned related to their experience for estimating product usage and consumption.
- Phil Cook, a drug policy researcher and Senior Associate Dean at the Sanford School of Public Policy at Duke University focused on the prevention of alcohol-related problems via restrictions on alcohol availability and expert in collecting and analyzing data related to consumption of alcohol. He has conducted considerable research on the effects of beer taxes on youthful drinking and the consequences thereof, finding that more restrictive policies result in lower rates of abuse, higher college graduation rates, and lower crime rates.
- Tom Schelling, a Nobel prize-winning economist and renowned policy advisor who has studied the impact of illicit drug markets on consumers, bring extensive expertise related to addictive behavior such as smoking, as well as skills and knowledge about how to estimate product usage and consumption to the project.
- Jerome Jaffe, a clinical professor in the Department of Psychiatry at the University of Maryland School of Medicine in Baltimore, works in the Division of Alcohol and Drug Abuse. He served as a top-level government advisor equivalent in rank and stature to the modern day Drug Czar to President Nixon in the 1970s and has vast experience, expertise and knowledge on drug usage and consumption.
- Jonathan Caulkins, one of the foremost leaders in modeling the effectiveness of interventions related to drugs, crime, delinquency and prevention, is the co-director of RAND's Drug Policy Research Center and has published extensively on drug policy.

**10. Experience.** In two (2) pages or less, please describe your firm's experience in statistical research, specifically related to determining demographic and/or psychographic segmentation, preferably related to the use of Cannabis.

Along with estimating the size and geographic characteristics of the market, it will be important for the WSLCB to understand possible demographic and psychographic aspects of the market. Many of the statistical techniques and skills used to estimate Product Usage and Consumption levels by geographic areas in Washington State will also be substantially related to the demographic segmentation of Cannabis use. Therefore, most of the experts presented in Question 9 and the expertise demonstrated there relates to Question 10 as well.

In addition to the experience in the above question, the RAND Drug Policy Research Center team members are engaging in a NIDA-funded study to assess the public health effects of state medical marijuana along demographic and psychographic dimensions. As part of this work, they are examining variation in state-level measures of a range of harms by age group, gender and ethnic group and assessing how they move with changes in medical marijuana policies. Harms examined include recreational use among youth and adults, rates of dependence, emergency room episodes, drugged and drunk driving, and crime. This experience and others bear directly on examining the demographic and psychographic aspects related to I-502 Implementation:

- RAND is currently working with the White House Office of National Drug Control Policy to estimate the number of marijuana users, amount of money spent, and amount of marijuana consumed in the United States for each year, 2000–2010.
- In 2009, RAND was contracted by the European Commission (EC) to estimate the size of the European cannabis market, and recently received another contract from the EC to update the figures using new consumption data. The skills and capabilities utilized in these two projects are invaluable to the WSLCB for detailing Marijuana use (total, medical, and recreational) by State and County-levels and projecting volume needed.

**Angela Hawken**, PhD is Associate Professor of Economics and Policy Analysis at the School of Public Policy at Pepperdine University where she teaches graduate classes in applied research methods, statistics, crime, and social policy. Hawken led the statewide cost-benefit analysis of California's alternative sentencing initiative, Proposition 36. Hawken's research interests are focused on drugs, crime, and corruption. She was the first to introduce the *Behavioral Triage Model* for identifying, treating, and supervising drug-involved offenders. Most recently she co-authored (with Mark Kleiman and Jonathan Caulkins) *Drugs and Drug Policy: What Everyone Needs to Know*, and a second book in the series (co-authored with Jonathan Caulkins, Beau Kilmer, and Mark Kleiman) *Marijuana Legalization: What Everyone Needs to Know*. Hawken has delivered testimonies to many state legislatures and to the U.S. Congress on issues related to US drug policy. Hawken brings her economics and statistical experience and expertise to the project team.

**Dr. Rosalie Liccardo Pacula** (PhD in Economics, Duke University) is Senior Economist at the RAND Corporation, Co-Director of the RAND Drug Policy Research Center, Professor at Pardee RAND Graduate School, and Director of RAND Health's Program on Economics, Finance, and Organization. Dr. Pacula has spent her career modeling and publishing studies on illegal markets (illegal to all, or just those that are illegal to youth). She brings considerable experience understanding the incentives and private/public consequences of different market structures, regulations, and the like. She has published extensively on the supply, demand, and the interacted markets (e.g. alcohol) related to marijuana for over 15 years and wrote one of the first books (*Cannabis Use and Dependence: Public Health and Public Policy*, Cambridge University Press 2003) that described in detail how cannabis might be legalized with a goal of minimizing public health harm. She has examined in detail a variety of marijuana-specific State-level policies aimed at reducing harms, including decriminalization policies and medical marijuana policies, looking at the legal and economic aspects of these laws that may or may not make them effective. This experience is coupled with her advanced training in statistical methods focused on identifying causal relationships. *Category 3 Relevant Publications:*

- J. Caulkins, B. Kilmer, R. Pacula, R. MacCoun, & P. Reuter. (2012). Design considerations for legalizing cannabis: Lessons inspired by analysis of California's Proposition 19. *Addiction*, 107, 865–871.
- B. Kilmer, J. Caulkins, R. Pacula, & P. Reuter. (2011). Bringing perspective to illicit markets: Estimating the size of the U.S. marijuana market. *Drug and Alcohol Dependence*, 119, 153–160.



- B. Kilmer & R. Pacula. (2009). *Estimating the size of the global drug market: A demand-side approach*. TR-711. Santa Monica: RAND.

**Dr. Beau Kilmer** (PhD in Public Policy, Harvard University) is Senior Policy Researcher at the RAND Corporation, Co-Director of the RAND Drug Policy Research Center, and Professor at Pardee RAND Graduate School. *Category 3 Relevant Publications:*

- J. Caulkins, A. Hawken, B. Kilmer, and M. Kleiman, *Marijuana Legalization: What Everyone Needs to Know*. (Oxford University Press, 2012)
- J. Caulkins & B. Kilmer. (In progress). *Estimating the size of the EU cannabis market*. European Commission
- J. Caulkins, B. Kilmer, R. Pacula, R. MacCoun, & P. Reuter. (2012). Design considerations for legalizing cannabis: Lessons inspired by analysis of California's Proposition 19. *Addiction*, 107, 865–871.
- B. Kilmer, J. Caulkins, R. Pacula, & P. Reuter. (2011). Bringing perspective to illicit markets: Estimating the size of the U.S. marijuana market. *Drug and Alcohol Dependence*, 119, 153–160.
- B. Kilmer, S. Everingham J. Caulkins, G. Midgette, P. Reuter, R. Burns, R. L. Pacula, B. Han, & R. Lundberg. (In progress). *What America's users spend on illicit drugs, 2000–2010*. White House Office of National Drug Control Policy.
- B. Kilmer & R. Pacula. (2009). *Estimating the size of the global drug market: A demand-side approach*. TR-711. Santa Monica: RAND.
- In addition, David P. Cavanaugh is a demographer and operations research expert who has previously applied his demographic expertise in the criminal justice arena.

11. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

Our team is headed by BOTEC Analysis Corporation, a think-tank specializing in crime and drug policy and acting as the primary contractor on the proposal. BOTEC has thirty years of experience contributing research and government advisory focusing on methods to maximize the effectiveness of crime and drug control policies while minimizing their attendant societal costs. Previous projects include analyses of the volume and danger of illicit cigarette markets, advising the implementation of criminal supervision programs intended to reduce drug abuse among parolees, and Federal research grants aiming to reduce incarceration and to explore the connection between crime and drugs. BOTEC CEO Mark Kleiman hopes to bring to the WSLCB his core staff of analysts, researchers, and evaluators, to be complemented by a highly selective and tight-knit network of experts. The group is assembled to offer a broad range of options and a depth of resources from which the WSLCB may draw according to its particular needs.

BOTEC Analysis' core staff consists of Dr. Mark Kleiman (PhD Public Policy, Harvard Kenned School), senior researchers Dr. Jonathan P. Caulkins (PhD Operations Science, MIT) and Dr. Angela Hawken (PhD Public Policy, RAND), general counsel Lowry Heussler, and managing director Steven Davenport. Dr. Caulkins and Dr. Hawken are both professors of public policy and highly regarded contributors to the study of illicit markets, crime, and drug abuse. While Dr. Kleiman is tasked with overseeing the entire project team, Mr. Davenport's focus is to manage day-to-day project developments and coordinate project activity.

BOTEC offers the WSLCB a wealth of experts in formalized marijuana cultivation and testing, quality standards, statistical modeling, policy analysis, dynamics of illicit markets, law enforcement, drug control, drug dependency, game theory, economics, and rule-making. They've occupied prestige positions ranging from Presidential Advisors to Nobel Laureate. The approach of the Team is to draw top experts in the relevant areas for each aspect where the WSLCB will require consultation. As such, members do not necessarily have titles within the firm but rather each bring their own first rate capabilities and experience to the challenges that will confront WSLCB in estimating product usage and consumption by geography area as well as from a demographic and psychographic perspective. The team will utilize the task-oriented team management system to complete assignments in an efficient and productive manner. This system has already been used by four core members of the team in the composition of a full-length book.

**Dr. Mark Kleiman** is CEO of BOTEC. He is Ph.D. Public Policy, Harvard Kennedy School. Dr. Kleiman teaches public policy at UCLA, and is an expert in many aspects of criminal and drug policy, including probation and parole, incarceration, and marijuana policy. Recent author of *Marijuana Legalization: What Everyone Needs To Know* co-authored with Jonathan Caulkins, Angela Hawken, and Beau Kilmer, and *When Brute Force Fails*. Other publications include:

- M. Kleiman, *Marijuana: Costs of Abuse, Costs of Control* (Greenwood, 1979)
- M. Kleiman, *Against Excess: Drug Policy for Results* (Basic Books, 1993)

**Dr. Jonathan Caulkins** (PhD in Electrical Engineering and Computer Science, MIT) is H. Guyford Stever Professorship of Operations Research and Public Policy at Carnegie Mellon University and former Co-Director of the RAND Drug Policy Research Center. *Category 3 Relevant Publications:*

- J. Caulkins & B. Kilmer. (In progress). *Estimating the size of the EU cannabis market*. European Commission
- J. Caulkins, B. Kilmer, R. Pacula, R. MacCoun, & P. Reuter. (2012). Design considerations for legalizing cannabis: Lessons inspired by analysis of California's Proposition 19. *Addiction*, 107, 865-871.
- B. Kilmer, J. Caulkins, R. Pacula, & P. Reuter. (2011). Bringing perspective to illicit markets: Estimating the size of the U.S. marijuana market. *Drug and Alcohol Dependence*, 119, 153-160.
- B. Kilmer, S. Everingham J. Caulkins, G. Midgette, P. Reuter, R. Burns, R. L. Pacula, B. Han, & R. Lundberg. (In progress). *What America's users spend on illicit drugs, 2000-2010*. White House Office of National Drug Control Policy.

**Dr. Rob MacCoun** (PhD in Psychology, Michigan State University) joined the faculty of UC Berkeley's School of Public Policy in 1993 and the Boalt faculty in 1999. From 1986 to 1993 he was a behavioral scientist at The RAND Corporation, and he has been a Visiting Professor at Princeton's Woodrow Wilson School and Stanford Law School. He has published many studies on illicit drug use and drug dealing, harm reduction, and social influence processes.

*Category 3 Relevant Publications:*

- Caulkins, J. P., Kilmer, B., MacCoun, R. J., Pacula, R. L., & Reuter, P. (2012). Design considerations for legalizing cannabis. *Addiction*, 107, 865-871.
- MacCoun, R. J., & Reuter, P. (2011). Assessing drug prohibition and its alternatives: A guide for agnostics. *Annual Review of Law & Social Science*, 7, 61-78.
- MacCoun, R. J. (2011). What can we learn from the Dutch cannabis coffee shop system? *Addiction*, 106, 1899-1910.
- Kilmer, B., Caulkins, J. P., Pacula, R. L., MacCoun, R. J., & Reuter, P. H. (2010). *Altered state? Assessing how marijuana legalization in California could influence marijuana consumption and public budgets*. Santa Monica, RAND.
- MacCoun, R. J. (2010). The implicit rules of evidence-based drug policy, updated. *Addiction*, 105, 1335-1336.
- MacCoun, R., & Reuter, P. (2001). *Drug war heresies: Learning from other vices, times, and places*. Cambridge University Press.

**Dr. Phil Cook** (PhD in Economics, University of California, Berkeley) is Professor of Public Policy and Professor of Economics and Sociology at Duke University. Over much of his career, one strand of Cook's research concerns the prevention of alcohol-related problems through both regulatory restriction and welfare-improving tax regimes. An early article of his was the first to demonstrate persuasively that alcohol taxes have a direct effect on the death rate of heavy drinkers, and subsequent research demonstrated the moderate efficacy of minimum-purchase-age laws in preventing fatal crashes. Together with Michael J. Moore, he focused on the effects of beer taxes on youthful drinking and the consequences thereof, finding that more restrictive policies result in lower rates of abuse, higher college graduation rates and lower crime rates. His recent book on the subject is *Paying the Tab: The Costs and Benefits of Alcohol Control* (Princeton University Press, 2007).

**Dr. Thomas Schelling** (PhD in Economics, Harvard University) was awarded the 2005 Nobel Prize in economics, was a professor of economics at Harvard until 1990 and is now a professor emeritus at the University of Maryland. His work on health policy, tobacco and drugs policy, and ethical issues in public policy and in business will bring invaluable and recognized insight to the project team. His article in *Science* "Addictive Drugs: The Cigarette Experience" from 1992 looks at smoking and the social trends around nicotine including the increasing demographic movement of cigarettes concentrating among poorer groups in society and "Assessing Alternative Drug Control Regimes" in 1996 with Peter Reuter and Robert MacCoun as an early look at options between harsh prohibition and sweeping legalization.

**Dr. Jerome Jaffe** is Clinical Professor of Psychiatry in the Division of Alcohol and Drug Abuse, University of Maryland School of Medicine, and Adjunct Professor, Department of Mental Health, Johns Hopkins Bloomberg School of Public Health. He is internationally recognized as an expert on the addictions. He has worked in this area for more than forty years, in academia and government, as a clinician, laboratory and clinical researcher, teacher, writer, and policymaker. As the first White House "Drug Czar," Dr. Jaffe initiated many of the basic and epidemiological research programs that formed the groundwork for ongoing efforts in drug abuse research, and he introduced programs that radically altered and expanded drug abuse treatment in the United States. His more than 200 publications include peer reviewed articles in scientific journals, chapters in major textbooks of psychiatry, pharmacology, and drug abuse, and books and articles in the popular press. Dr. Jaffe is on the editorial boards of several journals, has served on national and international advisory groups, and is a consultant to private and public agencies concerned with drug abuse treatment and policy. He is a Fellow of the American Psychiatric Association (Distinguished Life), American College of Neuropsychopharmacology (Emeritus), American Academy of Addiction Psychiatry, College on Problems of Drug Dependence, and Honorary Fellow of the Royal College of Psychiatrists and the Society for the Study of Addiction in the UK.

A few additional team members and their qualifications have previously been mentioned in answering questions 9 and 10.

12. **Approach and Methodology.** In two (2) pages or less, please provide a complete description of your firm's proposed approach and methodology to be used for Product Usage and Consumption validation as requested in this RFP, to estimate demographic and psychographic segmentation, specifically related to the use of Cannabis.

The Team's proposed approach and methodology are as follows:

**Step 1. Estimating the number of marijuana users and amount of marijuana consumed in Washington State**

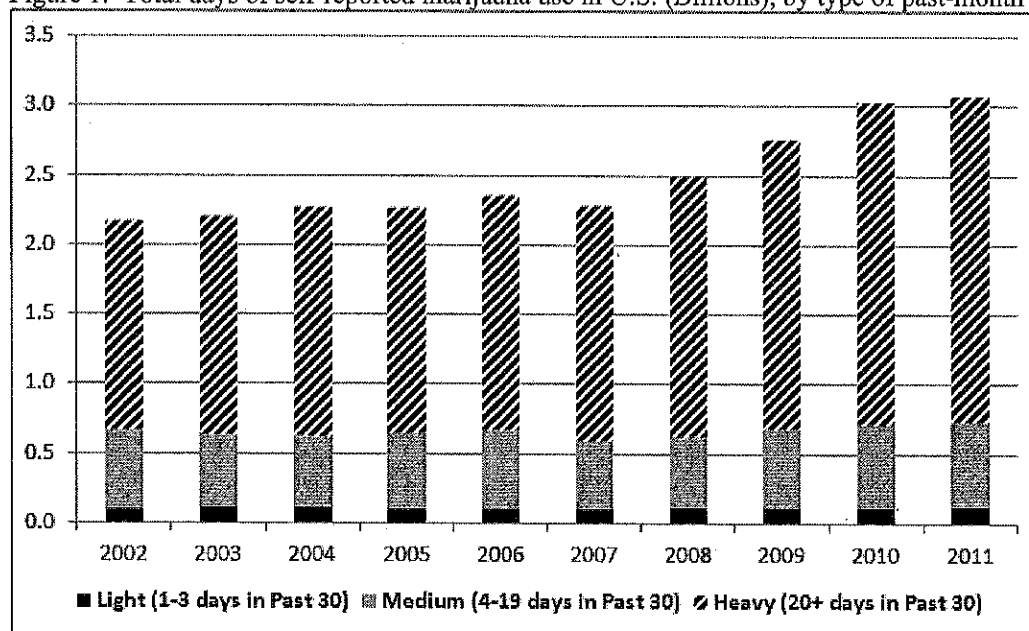
The team currently is under contract with the White House Office of National Drug Control Policy to develop a new approach for generating national estimates of the total number of marijuana users, total amount of marijuana consumed, and total marijuana expenditures at the retail level. The team will use this model to extend national projections through 2012 and then use the most recent data from NSDUH to generate best estimates (with ranges) for Washington State and for each county. That will generate county-level estimates of the current cannabis market; we will then adjust those estimates upward for potential growth due to legal availability and downward for illicit production and import and sales through the medical system, leaving estimates of the potential market to be served by the system WSLCB will design and regulate.

The team will also adjust for *changes in composition*. Current estimates of quantities consumed reflect a mix of higher potency ("sinsemilla") and lower potency products ("commercial grade"), whereas we expect legal sales to be primarily of higher potency materials. In our work on California's Proposition 19, we estimated that grams consumed per hour of intoxication could differ by roughly a factor of 2 between the current market mix and the anticipated post-legalization mix.

In terms of *user volume*, the market is dominated by a relatively small number of very heavy users. (The alcohol market is similar in this regard.) Combining work described above with similar work conducted for the European Commission suggests that the 80/20 Pareto Rule applies fairly literally. The 19% of past-year users who consumed on more than 20 days per month account for about one-third of past-month users, two-thirds of days of use, and 78% of the weight consumed.

Figure 1 displays the total number of marijuana use days reported in NSDUH by type of user for the entire country [Note: Figure 1 is a "raw" estimate not yet adjusted for misreporting or non-response. The proposed team has developed methods for making such adjustments]. At the national level we see that the heavy users (20+ use days in the previous month) account for most of the self-reported use days. Further, the number of use days attributable to this group has increased 40% from 2007-2011. We will generate similar figures for Washington State and its counties using the most recent data available. We can generate similar charts breaking down demand along various psychometric and demographic dimensions (age, educational attainment, duration of use, attitudes toward risk, etc.).

Figure 1. Total days of self-reported marijuana use in U.S. (Billions), by type of past-month user



Source: Kilmer et al. (In progress)

### Step 2. Allocate state totals to each of Washington’s 39 counties

The team will allocate these state-level figures to the 39 counties using sub-state information from a variety of sources:

- Past month marijuana prevalence for six sub-state regions (2008–2010 NSDUH)
- Percentage of treatment admissions with a marijuana mention for 9 MSAs/PMSAs (2011 TEDS)
- County-level hospital admissions with a primary or secondary diagnosis involving marijuana
- County population and demographic figures (U.S. Census)
- Washington State’s Healthy Youth Survey (biennial)—provides a good baseline.

For previous projects, the team has obtained county-level information from Quest Diagnostics about the share of workplace drug tests that detected marijuana. If selected we will seek approval to use these data for this project. The Team could inquire about obtaining county-level aggregated drug testing information for probationers and parolees as an added piece of data corroboration.

### Step 3. Estimate the share of marijuana consumed for medical purposes vs. recreational purposes

Under the proposed project, it is more important to know what share of regular users will not purchase from licensed sellers, regardless of reason: whether that is because they grow their own, are under age, prefer products only available from the black market, purchase from a medical dispensary/delivery service, obtain it from a “collective garden,” or some combination thereof. Insofar as the medical system enjoys a price advantage compared to the system to be regulated by WSLCB, the financial incentive to obtain a medical card would be greater for consumers who use more, so we might expect that the medical system to draw a larger proportion of heavy users. The same might apply to other untaxed sources.

Creating and fielding a web survey of regular cannabis users in the state would allow us to get a rough idea of this distribution (and learn much more about typical quantities consumed) but this approach raises concerns about whether the respondents are representative of regular users. An alternative approach would be to use respondent-driven sampling (RDS) to, in essence, generate a random sample of regular marijuana users in a jurisdiction (e.g., city,

county, sub-state region). The proposed statistical research subcontractor has experience using both approaches to generate information about marijuana consumption and purchase patterns, and if chosen, will consult with WSLCB about the approach they prefer (RDS is more expensive, but can allow for better inferences).

The team also will assist the WSLCB in understanding changes in consumption patterns as a result of legal supply (e.g., the number of users is likely to rise, but the ratio of heavy users to all users might fall).

Other ways of checking use rates developed from NSDUH and the WA Healthy Youth Survey is to look at data available on heavy use and dependence, which are available from at least two sources: (a) the Treatment Episode Data Set (TEDS) data, and (b) Emergency Department data. The Team has already looked extensively at these data nationally and in specific states to assess the incidence of heavy marijuana use, dependent users, and harms from marijuana use and the associated economic costs. These data sources offer a powerful check to regular household and phone surveys, as they include populations that are not always represented in regular household or phone surveys, including the homeless and incarcerated. Both data sources contain individual patient records on episodes of treatment for medically determined marijuana abuse/dependence. The TEDS data includes patient-level data on all individuals seeking treatment for any substance of abuse from any recognized treatment facilities in the U.S. that receives publicly-funded support (either through state or federal block grants or Medicaid/Medicare payments). This includes hospitals, residential settings, and outpatient clinics. Up to three substances of abuse are listed in TEDS. While geographic information are only available at the CMSA and PMSA level in the public use data file, many states provide access to county level information when asked for the data directly and confidentiality assurances are met. In addition to identifying individuals who meet DSM-IV criteria for abuse and dependence of marijuana, these data can be used to also identify individuals who suffer from relevant mental health comorbidities, including anxiety disorders, depressive disorders, schizophrenia and other psychotic disorders, bipolar disorders and ADHD behavior disorders.

Hospital and ambulatory emergency department data are another excellent source of information on acute problems associated with marijuana abuse and dependence, as individuals treated with problems of abuse/dependence in an emergency department are not always admitted into a hospital (which is the domain caught by the TEDS data). Medical information typically available in these data includes county of admission, and any evidence of mental health co-morbidity by ICD-9 diagnosis. These data, combined with the TEDS data, can provide a comprehensive assessment of the number of heavy users experiencing health problems (including but not limited to abuse/dependence) by county, allowing one to differentiate trends in simple prevalence of any use of marijuana from trends in problematic use.

#### **Step 4. Establish plant yield and growth volume assumptions needed to keep pricing at or below black market levels**

The team has extensive experience thinking about cannabis plant yields for different modes of production. For example, to better understand the possible consequences of California's Proposition 19, The Team reviewed the literature, created models, and published cannabis yield and cost estimates for various production choices (i.e., 5x5 plot, grow house, greenhouse, outdoor farms). Building on this work, Team researchers estimated that that it would take less than 10,000 grow houses to meet current U.S. demand for THC. Combining these insights with what we learn about prices (per gram of cannabis as well as per unit of THC) from dispensaries and user surveys will allow us make reasonable projections about the market implications of different production regimes.

The costs of production, processing, testing, and retail sales will put a lower bound on prices. But in a regulated market, with the number of providers at each level limited by WSLCB, sellers might maintain prices above the zero-profit level. Limiting the number of providers has advantages; not only does it ease the task of regulatory inspection, but if license-holders are deriving economic "rent" from higher-than-competitive pricing, their licenses become especially valuable, strengthening the incentive for compliance created by the threat of license suspension and revocation. That advantage, and the public health benefits of reduced consumption – with heavy and problem use, and use by minors, likely to be especially price-sensitive – suggest issuing fewer licenses. Higher prices will also tend to generate greater tax revenues, since the literature suggests that demand responds to price but less than proportionally. On the other hand, having fewer providers will reduce consumer convenience, and higher prices will increase consumers' incentives to seek alternative sources of supply (medical or illicit). Those effects would tend to reduce tax

revenues, and illicit supply would partially defeat the purpose of creating the legal regime. We would attempt to calculate the extent of all these effects, enabling WSLCB to optimize its regulatory decision-making.

Even the most careful set of estimates will be subject to error; behavior in a fully licit cannabis market is outside the range of existing experience and federal policy toward licensed producers and sellers remains unclear. If desired by WSLCB, the Team recommends that a monitoring and course-correction process that would allow the Board to update its policies in light of early experience be designed.



#### **CATEGORY 4 – PRODUCT REGULATION**

Please answer the questions listed below, attaching additional pages as necessary:

13. **Ability, Capacity and Skills.** In two (2) pages or less, please describe your firm's ability, capacity, and skills and/or expertise in Product Regulation, including but not limited to, the following:
- a. Experience with State, local or Federal government processes and procedures
  - b. Experience in crafting system regulations

WSLCB faces an unprecedented task: creating the world's first system of legal and regulated commerce for marijuana and marijuana products. Doing so involves balancing a variety of goals: public health, public safety, reduction of illicit commerce, public revenue, and administrative feasibility and cost, all within the guidelines set out by I-502, the Open Government Act, other Washington State statutes, and the Board's own procedures.

BOTEC and RAND bring to the task of crafting regulations a wealth of background in government service and research on markets in legal and illegal intoxicants and abusable substances and highly-regulated products. Members of our team have among them more than a century of experience working within regulatory systems and crafting and modifying rules and regulations at federal, state, and local levels, including those relating specifically to marijuana.

Our team is constructed to offer the WSLCB a range of skills to assist with the regulatory process, which our members have practiced at the highest levels:

- **Focus Groups:** The RAND Drug Policy Research Center has done extensive work on the size of the current illicit marijuana markets; the RAND Survey Research Group (SRG) offers the full range of survey-based information-gathering techniques, including focus groups. SRG is staffed with survey methodologists, behavioral scientists, and specialists in the technical aspects of survey research, including fourteen experienced focus group moderators. With over forty years of experience, SRG excels in custom-tailoring survey design to the needs of the client and applying nontraditional survey methods such as interviewing specialized populations, mixing data collection methods, and implementing experimental designs. It offers experience with a variety of outreach methods (mail, telephone, and in-person surveys and focus groups), data abstraction from public and private institutional records, and success in implementing designs in policy areas such as health care cost containment and drug prevention.
- **Market Estimates:** Four of the members of our core team (Jonathan Caulkins, Angela Hawken, Beau Kilmer, and Mark Kleiman) are the authors of *Marijuana Legalization: What Everyone Needs to Know* (Oxford University Press, 2012). That book is based on a survey of the entire scholarly literature, including the publications of the "Altered State" project of the RAND Drug Policy Research Center and Dr. Kleiman's two previous books on drug policy, *Against Excess: Drug Policy for Results* and *Marijuana: Costs of Abuse, Costs of Control*. The Scientific and Legal Advisory Panel includes an array of outstanding experts on drugs and drug policies, Keith Humphreys, Jerome Jaffe, Robert MacCoun, Mark Moore and Thomas Schelling. The team's research background in cannabis policy and markets will allow us to generate independent estimates of the likely consequences of alternative regulatory approaches.
- **Implementing Industry Compliance:** We are prepared to offer WSLCB advice based on practical experience with respect to the impacts its regulations will have on industry functioning. Our team includes the former CFO of Harborside Health Clinic, one of the largest medical marijuana dispensaries in California, and the former CEO and production-operations manager of Bedrocan International, the world's sole fully licit producer of cannabis for sale to end-users.
- **Regulatory management:** Members of our team have held the following positions: Chief Counsel of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Assistant General Counsel (Enforcement) of the U.S. Treasury; Deputy Administrator of the Transportation Security Administration; and Inspector General of the Federal Bureau of Investigation.

14. **Experience.** In two (2) pages or less, please describe your firm's experience in working within the confines of a regulatory system, and experience in creating and/or modifying rule, law, ordinance, and/or guidelines.

**Experience with state, local or federal government processes and procedures**

Our experts have contributed expertise to all levels of government, including:

- **Federal government:** Jerome Jaffe served as the nation's first "drug czar" as the director of the White House Special Action Office for Drug Abuse Prevention (SAODAP). In that position, he created several of the most important drug data-collection systems still in use. Keith Humphreys served as Senior Policy Adviser to the Office of National Drug Control Policy. Eric Sterling was assistant counsel for the Committee on the Judiciary of U.S. House of Representatives and crafted extensive drug-policy legislation and legislation on illicit tobacco marketing. Michael DeFeo served as Deputy Section Chief for the Organized Crime and Racketeering Section of the Criminal Division of the U.S. Department of Justice and Inspector General of the Federal Bureau of Investigation. Stephen McHale served as Chief Counsel of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Assistant General Counsel (Enforcement) of the U.S. Treasury.
- **State government:** Harris Kenny serves on Colorado Governor John Hickenlooper's Amendment 64 Task Force, Jackie Leigh serves on the Colorado Department of Revenue's and the Colorado Department of Health and Public Environment's medical marijuana advisory committees, and Lowry Heussler has 23 years of experience offering counsel to and practicing agency and administrative law with various Massachusetts regulatory agencies.
- **Local government:** Eric Sterling currently works as a long-term appointee to the Alcohol and Other Drug Abuse Advisory Council of Montgomery County, Maryland, and has held leadership positions within government, including co-vice chair of the Alcohol and other Drug Abuse Advisory Council, and as an advisor to the mayors of Washington, DC and Baltimore, MD.

**Experience in crafting system regulations**

Stephen McHale has extensive experience in the development of regulatory schemes governing the production, sale and taxation of alcohol, tobacco, firearms and explosives, transportation security, government ethics, and anti-money laundering. Mr. McHale served as Chief Counsel of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Assistant General Counsel (Enforcement) of the U.S. Treasury. As the first Deputy Administrator of the Transportation Security Administration, Mr. McHale was responsible for the development of a scheme for regulating security in all modes of transportation virtually from scratch.

Jerome Jaffe created the national regulatory structure for methadone maintenance and managed the process of moving LAAM through the FDA drug-approval process.

Members of our team have labored to ensure that medical marijuana businesses maintain full compliance with Federal law. Mr. Zamarra, CPA, sounded the alarm to the industry that many if not most marijuana business operators stood in violation of Internal Revenue Service regulations. As CFO of California's Harborside Health Center, he was instrumental in making Harborside the model for transparency in the medical marijuana trade. His rigorous inventory tracking and insistence on full legal compliance arguably kept Harborside a low enforcement priority for federal agents. Despite Harborside's conspicuously large scale of operations, it has never been a target for a federal raid. Jackie Leigh serves as director for a program providing mandatory training to medical marijuana facility operators and employees, and recently presented at the RAND conference on Public Health Regulations for Marijuana. Michael Sautman served as CEO of Bedrocan International, Inc. (BI, California, USA). BI operated as the international affiliate of Bedrocan BV (Netherlands), the only company in the world licensed to produce multiple, diverse cannabis varieties for patients under a national program. Regulated by the Dutch Ministry of Health's Office of Medicinal Cannabis (OMC), Bedrocan's botanical products are manufactured in accordance with Good Agricultural Practices (GAP) and adhere to World Health Organization (WHO) standards for the production of botanical drugs. As CEO, he has consulted lawmakers and regulators in Canada, Israel and several U.S. states regarding how medical marijuana is produced and distributed in The Netherlands. At BI, he initiated Bedrocan's medical marijuana drug approval program with Health Canada, the Canadian Ministry of Health.

Members of our team hold academic positions enabling them to conduct in-depth research into the consequences and intricacies of regulatory schemes. Dr. Moore is the first Herbert A. Simon Professor of Education, Management, and Organizational Behavior and the Hauser Professor of Nonprofit Organizations at the Harvard Kennedy School of Government. Dr. Schelling is a Nobel-Prize winning economist and is former Lucius N. Littauer Professor of Political Economy at Harvard's Kennedy School of Government. Drs. Kleiman, Caulkins, and Hawken all hold professorships at schools of public policy, and co-authored along with Dr. Kilmer "Marijuana Legalization: What Everyone Needs to Know." Dr. MacCoun teaches at UC Berkeley's Boalt Hall and Goldman School of Public Policy, and has extensively studied the Dutch recreational marijuana system. More of our experts' relevant publications are available in the response to question 14.

Members of our team have been active participants in shaping regulations governing medical and recreational marijuana in Colorado. Team member Harris Kenny serves on Colorado Governor John Hickenlooper's Amendment 64 Task Force on the Local Authority and Control Working Group, and as a policy analyst at Reason Foundation. He has co-sponsored and contributed to recommendations vital to the Task Force's mission to facilitate successful implementation of marijuana legalization. Jackie Leigh served on multiple Coloradoan medical marijuana advisory committees. She has been influential in the development of the Colorado Medical Marijuana Code and regulations implemented thereafter by multiple regulatory bodies. Ms. Leigh provides regulatory drafting services to numerous Colorado industry trade associations suggesting rule changes to the Colorado Medical Marijuana Enforcement Division. Mr., Zamarra has drafted two pieces of proposed legislation relating to the medical marijuana industry, one in the California Assembly and HR 1840, introduced by Congressman Pete Stark.

Our members have crafted a long list of bills, regulations, and regulatory structures, including: numerous regulatory bills enacted by Congress as counsel responsible for oversight and amendment of Acts, including the Controlled Substances Act, the Gun Control Act of 1968, the Bank Secrecy Act of 1970, Dangerous Drug Diversion Control Act of 1984, Currency and Foreign Transactions Reporting Act Amendments of 1984, Federal Firearms Owners Protection Act, Money Laundering Control, Chemical Diversion and Trafficking Act, Child Pornography and Obscenity Enforcement Act of 1988, and others.

15. **Staff Qualifications and Capabilities.** Please identify staff by name and title, including subcontractors, who would be assigned to the potential contract, indicating their normal responsibilities in your firm. Provide qualifications information on the named staff, including the individuals' particular skills related to this project, education, experience, significant accomplishments and any other pertinent information.

Our team is headed by BOTEC Analysis Corporation, a think-tank specializing in crime and drug policy and acting as the primary contractor on the proposal. BOTEC has thirty years of experience contributing research and government advisory focusing on methods to maximize the effectiveness of crime and drug control policies while minimizing their attendant societal costs. Previous projects include analyses of the volume and danger of illicit cigarette markets, advising the implementation of criminal supervision programs intended to reduce drug abuse among parolees, and Federal research grants aiming to reduce incarceration and to explore the connection between crime and drugs. BOTEC CEO Mark Kleiman hopes to bring to the WSLCB his core staff of analysts, researchers, and evaluators, to be complemented by a highly selective and tight-knit network of experts. The group is assembled to offer a broad range of options and a depth of resources from which the WSLCB may draw according to its particular needs.

BOTEC Analysis' core staff consists of Dr. Mark Kleiman (PhD Public Policy, Harvard Kenned School), senior researchers Dr. Jonathan P. Caulkins (PhD Operations Science, MIT) and Dr. Angela Hawken (PhD Public Policy, RAND), general counsel Lowry Heussler, and managing director Steven Davenport. Dr. Caulkins and Dr. Hawken are both professors of public policy and highly regarded contributors to the study of illicit markets, crime, and drug abuse. While Dr. Kleiman is tasked with overseeing the entire project team, Mr. Davenport's focus is to manage day-to-day project developments and coordinate project activity.

BOTEC offers the WSLCB a wealth of experts in formalized marijuana cultivation and testing, quality standards, statistical modeling, policy analysis, dynamics of illicit markets, law enforcement, drug control, drug dependency, game theory, economics, and rule-making. They've occupied prestige positions ranging from Presidential Advisors to Nobel Laureate.

#### **CEO, Project Leader, and Category 4 Team Leader**

Dr. Mark Kleiman is CEO of BOTEC. He has a Ph.D. in Public Policy from the Harvard Kennedy School of Government. Dr. Kleiman teaches public policy at UCLA, and is an expert in many aspects of criminal and drug policy, including probation and parole, incarceration, and marijuana policy. Recent author of *Marijuana Legalization: What Everyone Needs To Know* co-authored with Jonathan Caulkins, Angela Hawken, and Beau Kilmer, and *When Brute Force Fails*. Other publications include:

- M. Kleiman, *Marijuana: Costs of Abuse, Costs of Control* (Greenwood, 1979)
- M. Kleiman, *Against Excess: Drug Policy for Results* (Basic Books, 1993)

#### **Category 4 Key Staff**

Dr. Jonathan Caulkins (PhD in Electrical Engineering and Computer Science, MIT) is H. Guyford Stever Professorship of Operations Research and Public Policy at Carnegie Mellon University and former Co-Director of the RAND Drug Policy Research Center. *Category 4 Relevant Publications:*

- J. Caulkins, B. Kilmer, R. Pacula, R. MacCoun, & P. Reuter. (2012). Design considerations for legalizing cannabis: Lessons inspired by analysis of California's Proposition 19. *Addiction*, 107, 865–871.
- B. Kilmer, J. Caulkins, R. Pacula, & P. Reuter. (2011). Bringing perspective to illicit markets: Estimating the size of the U.S. marijuana market. *Drug and Alcohol Dependence*, 119, 153–160.
- B. Kilmer, S. Everingham J. Caulkins, G. Midgette, P. Reuter, R. Burns, R. L. Pacula, B. Han, & R. Lundberg. (In progress). *What America's users spend on illicit drugs, 2000–2010*. White House Office of National Drug Control Policy.
- J. Caulkins & B. Kilmer. (In progress). *Estimating the size of the EU cannabis market*. European Commission

Lowry Heussler, JD, is currently on the Massachusetts Department of Labor and Workforce Development Board of Review and has extensive experience in administrative and agency law. Dr. Heussler has co-authored books with Dr. Kleiman concerning drug policy as well as with BOTEC on crime control; she was a research assistant on BOTEC's Analysis of Cocaine and Heroin Market Structure and for Dr. Kleiman's *Against Excess: Drug Policy for Results*.

#### **Category 4 Key Technical and Regulations Advisors**

##### **Eric Sterling, JD**

Eric Sterling is president of the Criminal Justice Policy Foundation and was Counsel to the US House of Representatives Committee on the Judiciary from 1979–1989. On the staff of the Subcommittee on Crime he was responsible for drug enforcement and money laundering, among other issues. During the 96th Congress Dr. Sterling worked on rewriting the Federal Criminal Code and has received honors and awards from the US House of Representatives and the Bureau of Alcohol, Tobacco, and Firearms. He provides extensive expertise in Federal government processes, procedures, and regulations.

A member who currently wishes to remain unnamed has served as a business representative on both the Colorado Department of Revenue's and Colorado Department of Health and Public Environment's medical marijuana advisory committees. She has been influential in the development of the Colorado Medical Marijuana Code and regulations implemented thereafter by multiple regulatory bodies. She provides regulatory drafting services to multiple Colorado industry trade associations related to medical marijuana and has provided dozens of presentations and trainings across the nation.

Michael DeFeo, LLB, is a consultant on legislative and regulatory drafting in fields of terrorism, money laundering, asset recovery and corruption for international organizations including the UN Office on Drugs and Crime. As senior legal advisor for the UN Office on Drugs and Crime DeFeo provided instruction to governments through legislative drafting advice and analysis of national legislation.

Stephen J. McHale, JD, has extensive experience in the development of regulatory schemes governing the production, sale and taxation of alcohol, tobacco, firearms and explosives, transportation security, government ethics, and anti-money laundering. Mr. McHale served as Chief Counsel of the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Assistant General Counsel (Enforcement) of the U.S. Treasury. In these positions, he was responsible for the developing regulations to implement the Brady Handgun Violence Protection Act and the planning for the regulatory structure to implement the Safe Explosives Act of 2002. He also played a major role in drafting the financial provisions of the USA PATRIOT Act of 2001, and initiating the development of implementing regulations. As the first Deputy Administrator of the Transportation Security Administration, Mr. McHale was responsible for the development of a scheme for regulating security in all modes of transportation virtually from scratch. At ATF and in private practice, Mr. McHale worked on issues arising under the Federal Alcohol Administration Act and the Internal Revenue Code provisions on alcohol, tobacco and firearms excise taxes. In all his regulatory work, he has engaged in extensive stakeholder outreach (including public meetings) with consumers, retailers, wholesalers, manufacturers, trade associations, unions, airlines and other transportation and service providers, and state, local and federal officials.

Luigi Zamarra is a CPA with Henry Levy & Co., CPAs in Oakland, California. He is one of the nation's most experienced business people in understanding challenges particular to the medical marijuana industry. He was previously the Chief Financial Officer of Harborside Health Center, recognized as one of the largest medical cannabis dispensaries in the United States. He has a BS in Commerce and an MS in Accounting from the University of Virginia. He worked with the Big 4 accounting firms for twelve years, rising to the position of Director at PricewaterhouseCoopers, before starting to work with regional businesses as a public accountant in San Francisco. At Harborside Health, the medical marijuana industry leader, he became the point person for the entire industry on income tax issues, including correspondences with the Commissioner of the IRS and lobbying on Capitol Hill. He further assisted with the drafting of legislation HR 1840 proposed by Rep. Pete Stark in the 112th Congress.

##### **Scientific Advisory Panel for Category Four**

Dr. Thomas Schelling, PhD in Economics, Harvard University, was awarded the 2005 Nobel Prize in economics, was a professor of economics at Harvard until 1990 and is now a professor emeritus at the University of Maryland. His work on health policy, tobacco and drugs policy, and ethical issues in public policy and in business will bring invaluable and recognized insight to the project team. His 1996 article "Assessing Alternative Drug Control Regimes" written with Peter Reuter and Robert MacCoun was an early look at options between harsh prohibition and sweeping legalization.

Dr. Rob MacCoun, PhD in Psychology, Michigan State University, is a behavioral scientist on the faculty of UC Berkeley Law School who has extensive knowledge and background on the functioning of the Dutch coffee shop marijuana system. *Category 4 Relevant Publications:*

- Caulkins, J. P., Kilmer, B., MacCoun, R. J., Pacula, R. L., & Reuter, P. (2012). Design considerations for legalizing cannabis. *Addiction, 107*, 865-871.
- MacCoun, R. J., & Reuter, P. (2011). Assessing drug prohibition and its alternatives: A guide for agnostics. *Annual Review of Law & Social Science, 7*, 61-78.
- MacCoun, R. J. (2011). What can we learn from the Dutch cannabis coffee shop system? *Addiction, 106*, 1899-1910.
- MacCoun, R., & Reuter, P. (2001). *Drug war heresies: Learning from other vices, times, and places*. Cambridge University Press.

Dr. Mark Moore, PhD in Public Policy, Harvard University, currently holds the positions of the first Herbert A. Simon Professor of Education, Management, and Organizational Behavior and the Hauser Professor of Nonprofit Organizations at the Harvard Kennedy School of Government. He was the Vice Chair on the Committee of Law and Justice for the National Academy of Sciences from 2002–2005, has written extensively on public safety matters especially related to juveniles, and has also chaired committees concerning school violence, urban violence, and alcohol control policies.

Dr. Sally Satel, M.D., is a psychiatrist and lecturer at Yale University's School of Medicine. She is an expert in drug treatment having authored books such as *Drug Treatment: The Case for Coercion*.

Dr. Jerome Jaffe, M.D., is Clinical Professor of Psychiatry in the Division of Alcohol and Drug Abuse, University of Maryland School of Medicine, and Adjunct Professor, Department of Mental Health, Johns Hopkins Bloomberg School of Public Health. He is internationally recognized as an expert on addiction. He has worked in this area for more than forty years, in academia and government, as a clinician, laboratory and clinical researcher, teacher, writer, and policymaker. As the first White House "Drug Czar," Dr. Jaffe initiated many of the basic and epidemiological research programs that formed the groundwork for ongoing efforts in drug abuse research, and he introduced programs that radically altered and expanded drug abuse treatment in the United States.

Dr. Keith Humphreys, M.D., currently is a research professor for the Stanford School of Medicine and a member of the affiliate faculty of the Center for Health Policy at Stanford. From 2009–2010 Dr. Humphreys served as Senior Policy Advisor at the White House Office of National Drug Control Policy where he advised the Director on the prevention, early intervention, and treatment of substance abuse disorders.

Dr. Donald I. Abrams, M.D., is a cancer and integrative medicine specialist at the University of California San Francisco. Dr. Abrams has extensive experience working with medicinal marijuana. Dr. Abrams is a member of the California Medical Association's Legalization and Taxation of Marijuana Technical Advisory Committee.

Dr. Glenn Loury, PhD, is the Merton P. Stolz professor of the Social Sciences, a professor of economics, and professor of public policy at Brown University. He has held the position of professor at Boston University, Harvard's Kennedy School of Government, and the University of Michigan. Loury is an expert on group inequality, economics, and incarceration.

Dr. Angela Hawken, PhD, is Associate Professor of Economics and Policy Analysis at the School of Public Policy at Pepperdine University where she teaches graduate classes in applied research methods, statistics, crime, and social policy. Hawken led the statewide cost-benefit analysis of California's alternative sentencing initiative, Proposition 36. Hawken's research interests are focused on drugs, crime, and corruption. She was the first to introduce the *Behavioral Triage Model* for identifying, treating, and supervising drug-involved offenders. Most recently she co-authored (with Mark Kleiman and Jonathan Caulkins) *Drugs and Drug Policy: What Everyone Needs to Know*, and a second book in the series (co-authored with Jonathan Caulkins, Beau Kilmer, and Mark Kleiman) *Marijuana Legalization: What Everyone Needs to Know*. Hawken has delivered testimonies to many state legislatures and to the U.S. Congress on issues related to US drug policy.

Dr. Jonathan Kulick, PhD, is a senior project director at the School of Public Policy at Pepperdine University. He has co-authored a chapter on federal drug policy in reference book on addiction and drug abuse and co-authored white paper on counternarcotics policy.

Bob Jesse is currently a research strategist for John Hopkins University and has worked extensively on different practical approaches to drug policy. He has extensive experience with legal and policy writing.

16. **Approach and Methodology.** In two (2) pages or less, please provide a complete description of your firms' proposed approach and methodology to be used in assisting the WSLCB with developing rules and a regulation strategy for the state of Washington's new Marijuana System.

Policy choices are to be judged by their results. In advising the Board on developing a regulatory system for the newly legal marijuana market, we would propose to project the likely results of alternative choices and identify the trade-offs among the outcomes of interest so that the Board can make fully-informed choices.<sup>1</sup> Having identified the Board's preferred system, we would then work with the Board to embody that system in regulatory language.

The first step in developing a regulatory strategy is to list the evaluative dimensions of the problem: the aspects of the world that could become better or worse as a result of alternative choices. The preamble to the statute identifies several of these: economizing on law enforcement resources to allow them to be focused on violent and property crime, taking the cannabis business out of the hands of criminals, and producing revenue for the state. Other sections of the law point to public health and safety concerns: use by minors, maladaptive use, health care utilization, and auto accidents. The product-labeling provisions suggest a concern for consumer protection and satisfaction. The Board should also be concerned with controlling its administrative costs and avoiding challenges to appropriate use of authority.

This long list of objectives confronts the Board with a complex decision problem, because a given policy choice might improve one outcome dimension while worsening another.<sup>2</sup> For example, tighter regulations leading to higher prices might have the unwanted side-effect of moving some consumers away from regulated sales and toward the illicit market. Our goal would be to clarify the choices confronting the Board.

Having identified the outcome dimensions of interest, we would then identify the regulatory choices to be made, including the number of licenses to be issued at each level, the rules for testing and labeling products, restrictions on products and marketing, and the systems for monitoring compliance and sanctioning violations.

The next step would be to project, based on existing data and freshly-gathered information (e.g., from focus groups and user surveys—described in Category 2), the likely results of different combinations of regulatory choices in terms of the identified outcome dimensions, taking into account the incentives created for suppliers and consumers, including the incentives for violating the rules.

The result would be a menu of regulatory choices, with a projection of the outcomes of each choice and thus the identification of the tradeoffs among the valued outcome dimensions.

After the Board chooses its preferred set of options, we would then work with the staff to embody that choice in regulatory language and assist in the process of formally adopting the resulting regulations, as modified by public and industry feedback.

In creating the first draft of regulations, BOTEC proposes to review Title 16 of the Washington Administrative Code, especially WA ADC 16-695-005 (rules relating to ginseng) with an eye to fitting a marijuana section into the existing regulatory scheme for certification, inspections and quality control. This part of the regulations will create the licensed marijuana grows as anticipated in Part III, Section 4 of I-502: the producers that regulation and inspections will be needed to ensure food-grade safety measures in the use of fertilizers and pesticides, for example. We anticipate that the retailer's license referenced in the same section will be codified in Title 314 of the Washington Administrative Code, implementing and empowering the Washington state liquor control board.

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<sup>1</sup> Arguably, the proposed research team has more experience thinking about these tradeoffs for cannabis than anyone else the world (e.g., Kleiman, 1989; Kleiman, 1992; MacCoun, Reuter, & Schelling, 1996; MacCoun & Reuter, 2001; Kilmer, Caulkins, Pacula, MacCoun, & Reuter, 2010; Caulkins, Hawken, Kilmer, & Kleiman, 2012—bold indicates proposed team member).

<sup>2</sup> Many of these tradeoffs are highlighted in the seminal article on assessing alternative drug control regime which by two of our team members (Berkeley Law Professor Robert MacCoun and Nobel Laureate Tom Schelling).



**Example: Product labeling.** The issues surrounding product labeling can serve as an example of the analytic process we propose. Cannabis is a much more complex commodity than alcohol, with at least two important active agents (THC and CBD). (Other chemicals may also turn out to have significant impacts on the user experience.) THC is anxiety-inducing (and, in high doses, can even cause transient psychotic episodes); CBD may counteract both anxiety and psychosis.

Most of the high-potency (as measured by THC) marijuana that now dominates the market has only traces of CBD; ratios of 25:1 THC: CBD are not uncommon. But some strains run as low as 1:2. Under conditions of legal production, with extraction and re-blending, it wouldn't be technically hard to produce almost any desired ratio. Some users reportedly prefer lower-ratio, "mellower" product. Why the current high-price market is dominated by high-ratio material is obscure; it may be that users in the illicit market equate intoxicating power with quality, and biologically it appears that CBD production comes at the expense of THC production. It might also be that high-ratio cannabis is prized by the minority of heavy users who have become THC-tolerant, and that the new users brought in (or back in) to the cannabis market by legalization might prefer lower-ratio product, resulting (perhaps) in fewer emergency-department visits and a lower rate of problem use. If so, that could prove a substantial advantage of a legal marijuana market over the existing illegal market.

Accurate labeling alone might be expected to reduce the risk of adverse effects. In addition, the Board's powers to require testing and labeling might allow it to "nudge" the market toward the use of less hazardous forms of marijuana. (Or that goal might prove chimerical.)

Designing labels that convey the relevant information in a form the users can grasp will require careful analysis, informed by focus groups or other means of gathering consumer opinion. Presumably the labels should have the percentages of each relevant chemical (THC and CBD to start with, with the possibility of expanding the list as scientific knowledge of the effects of different chemicals grows.) But there are at least two ways of making that information more accessible to consumers unfamiliar with cannabinoid chemistry: which is to say, most users.

One option would be a letter-and-number system. For example, the THC content of the product (roughly speaking, its intoxicating power) might be represented by letters from A through F, with A representing the smallest concentration of THC and F the highest (to counteract the current market perception that high potency equals high quality). The ratio of THC to CBD could be represented by numbers from 1-6, with lower numbers reflecting higher ratios. Thus "A-1" material might, for example, reflect a THC content below 5% and a THC :CBD ratio of no more than 2:1, while "F-6" would mean more than 15% THC and a ratio of 15:1 or more.

In addition or instead, those two dimensions could be represented graphically by color-codes and cross-hatching, with bluer shades representing lower ratios and redder shades higher ratios and no cross-hatching representing low THC content and heavy cross-hatching reflecting high THC content. (A separate question would be whether to put an absolute cap on either THC content or THC: CBD ratio, at some risk of creating an illicit market for material with higher concentrations or ratios.)

Labeling edible or potable products poses additional complexity due to the presence in unheated cannabis of THC-acid – reportedly not intoxicating – rather than THC itself, and the difficulty of comparing the THC concentration of a food to be swallowed to that of the herbal product to be smoked or otherwise inhaled. While thinking through these complexities we will not lose sight of the fact that a simple statement on edible packaging stating:

- 1) The effect of this edible may take up to X minutes to arrive, and
- 2) Adults should not consume more than one edible every Y hours

could help reduce the number of overdoses and emergency room visits, especially among naïve consumers.

Similar analyses would inform our analysis of the number of producers, processors, and retailers to be licensed. Limiting the number of producers will tend to create "market power" and thus increase prices to consumers. Higher prices could help protect public health by reducing the prevalence of very heavy and chronic use and of use by juveniles (some of whom will be supplied by adults buying on the licit market). If producers have market power and

can therefore extract what economists call “oligopoly rents,” they will tend to be more obedient to the Board’s regulations because the threat of license suspension and revocation would represent more potential financial loss than would be the case if market competition drove prices down to where sellers were barely covering their costs. But on the other hand higher prices would also increase the incentives for tax evasion and illicit production, requiring greater enforcement effort to maintain any given level of compliance. If the Board decides to award fewer licenses than there are applicants, it will be necessary to devise a fair and transparent process for choosing among potential licensees.

Since there has never, anywhere in the modern world, been a fully licit commercial market in cannabis, the shape that market will take and the consequences in terms of health, safety, and illicit activity cannot be precisely known in advance. Whatever set of initial regulations the Board enacts can only reflect the best knowledge available, based on the current illicit market. Those policies might require revision in light of experience. In addition, even if the initial regulations were perfectly designed for the initial phase of a licit market, changes in the composition of the consumer population and in consumer knowledge and preferences might call for different regulations in the not-very-distant future. We would propose to help the Board design, not only the initial regulatory regime (including both the rules themselves and the monitoring and enforcement processes needed to ensure compliance with them) but also a monitoring system that would inform subsequent “course corrections.”

## COST PROPOSAL

The evaluation process is designed to award this procurement not necessarily to the Proposer of least cost, but rather to the Proposer whose proposal best meets the requirements of this RFP. However, Proposers are encouraged to submit proposals which are consistent with State government efforts to conserve state and federal resources.

**Instructions to Proposer:** Proposer shall complete either Table 1 or Table 2 below by entering their Not-to-Exceed (NTE) Hourly Rate or Not-to-Exceed Daily rate for Initiative 502 Consulting Services. For the purposes of this RFP, one day shall consist of a total of eight (8) hours.

Proposer is instructed to be familiar with the Initiative 502 language when preparing their response. A link to the I-502 document is located in Appendix B of the RFP for Proposer's convenience.

**Table 1: Hourly Rate**

Description	NTE Hourly Rate
Not-to-Exceed (NTE) <b>Hourly</b> Rate for I-502 Consulting Services as stated in this RFP	\$ <u>292</u> p/hour *

**Table 2: Daily Rate**

Description	NTE Daily Rate
Not-to-Exceed (NTE) <b>Daily</b> Rate for I-502 Consulting Services as stated in this RFP	\$ _____ p/day

\* As currently calculated, these costs are for professional services only and do not include travel expenses, which will be billed without markup. Alternatively, if awarded the contract, we will work with the WSLCB to determine the best method for projecting expense costs.

# **BOTEC Analysis**

C O R P O R A T I O N

73 FAYERWEATHER ST.  
CAMBRIDGE, MA 02138  
STEVEN DAVENPORT, MANAGING DIRECTOR  
510/552-0575  
DAVENPORT@BOTECANALYSIS.COM

Washington State Liquor Control Board  
ATTN: RFP #K430  
February 15, 2013

To Whom It May Concern:

In our bid for the contract to advise the Washington State Liquor Control Board on Implementation of Initiative 502 (RFP #K430), BOTEC Analysis Corporation is responding to the requests for Categories 1, 2, 3, and 4. Our preference is to receive the bid in full, but we are available on a single category basis if that is the preference of the WSLCB. As of this date, there are no Washington State employees or former Washington State employees on BOTEC's governing board.

At any given time there are additional research assistants working for BOTEC Analysis Corporation on a project-by-project basis.

BOTEC Analysis Corporation's legal address and principal agents are as follows:

73 Fayerweather St.  
Cambridge, MA 02138  
(617) 245-8567  
Operating Location: Olympia, WA

Mark Kleiman, CEO	markarkleiman@gmail.com
Lowry Heussler, General Counsel	heussler@botecanalysis.com
Steven Davenport, Managing Director	davenport@botecanalysis.com
Larry Nannis, Treasurer	Lnannis@lnskcpa.com

Research assistants: Cathy Cotter, Joan Brody, Peter Gehred, Axelle Klincke, Deborah Piccard

BOTEC plans on sub-contracting with the following firms and/or individuals:

**Subcontractor #1: RAND Corporation**

1776 Main Street  
Santa Monica, CA 90407  
310.393.0411  
byone@rand.org  
Operating Location: Santa Monica, CA

Nick Byone  
Contract and Grant Administrator  
1776 Main Street  
Santa Monica, CA 90407

310.393.0411x6625

**Subcontractor #2: NMS Lab**

3701 Welsh Road  
Willow Grove, PA 19090  
800.522.6671  
Pat.Haneman@nmslabs.com  
Operating Location: Pennsylvania HQ

Patricia Haneman, Director of Forensic Strategic Business Unit  
3701 Welsh Road  
Willow Grove, PA 19090  
Pat.Haneman@nmslabs.com  
800.522.6671

**Subcontractor #3: Dr. Donald I. Abrams**

997 Potrero Avenue  
Building 80, Ward 84  
San Francisco, CA 94110  
415.476.4082  
Operating Location: San Francisco, CA

Principal Officer: Dr. Donald I. Abrams, self  
997 Potrero Avenue  
Building 80, Ward 84  
San Francisco, CA 94110  
415.476.4082

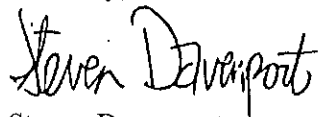
**Subcontractor #4: Steep Hill Lab**

473 Roland Way  
Oakland, CA 94621  
510-562-7400  
Operating Location: Oakland, CA

Principal Officer: David Lampach, CEO  
510-562-7400  
[david@steephilllab.com](mailto:david@steephilllab.com)

Thank you for your consideration of our bid for RFP #K430.

Sincerely,



Steven Davenport  
Managing Director

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**University of California San Francisco**  
**CURRICULUM VITAE**

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**Name:** Donald I. Abrams, M.D.

**Position:** Professor of Clinical Medicine, Step VII  
Department of Medicine  
School of Medicine

**Address:** San Francisco General Hospital  
995 Potrero Avenue, Ward 84, Room 425  
San Francisco, California 94110  
Box 0874  
University of California San Francisco  
San Francisco, CA 94143  
Voice: (415) 476-4082 ext. 444  
FAX: (415) 502-2991  
E-Mail: [dabrams@hemeonc.ucsf.edu](mailto:dabrams@hemeonc.ucsf.edu)

UCSF Osher Center for Integrative Medicine  
1545 Divisadero Street, 4th Floor  
San Francisco, California 94115  
Box 1762  
University of California San Francisco  
Voice: (415) 353-9740  
FAX: (415) 353-7358

**EDUCATION:**

1968-1972	Brown University, Providence, Rhode Island	A.B.	Molecular Biology
1972-1977	Stanford University School of Medicine	M.D.	Medicine
1977-1980	Kaiser Foundation Hospital San Francisco	Resident	Internal Medicine
1980-1983	University of California San Francisco	Fellow	Hematology-Oncology
2003-2004	University of Arizona	Fellow	Integrative Medicine

**LICENSES, CERTIFICATION:**

1978 Medical licensure, California G36948  
1980 Diplomate, American Board of Internal Medicine  
1983 Diplomate, Subspecialty of Medical Oncology

**PRINCIPAL POSITIONS HELD:**

1982-83 UCSF Assistant Research Physician Cancer Research Institute

Abridged.

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1983-84	UCSF	Clinical Instructor	Medicine
1984-88	UCSF	Assistant Clinical Professor	Medicine
1988-92	UCSF	Associate Professor of Clinical Medicine	Medicine
1992-now	UCSF	Professor of Clinical Medicine	Medicine

**OTHER POSITIONS HELD CONCURRENTLY:**

1983-1996	San Francisco General Hospital AIDS Program	Assistant Director
1996-2003	San Francisco General Hospital Positive Health Program	Heme-Onc Section Head
2003-now	San Francisco General Hospital Heme-Oncology Division	Chief
2006-2008	UCSF Osher Center for Integrative Medicine	Director of Clinical Programs

**HONORS AND AWARDS:**

1973-77	California State Fellow, Stanford University School of Medicine
2000	Stanford University School of Medicine Top 40 Alumni of Past 40 years
2000	Brown University Top 100 Distinguished Alumni of the Century
2007	International Association for Cannabis as Medicine Award for Clinical Research
2009	National Organization for the Reform of Marijuana Laws Lester Grinspoon Award

**GOVERNMENT and OTHER PROFESSIONAL SERVICE**

1999-present	National Center for Complementary and Alternative Medicine Ad Hoc Grant Reviewer
2005	National Center for Complementary and Alternative Medicine Study Section Chair

**UNIVERSITY SERVICE**

2000-2001	Co-Director University of California Center for Medicinal Cannabis Research
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**PUBLIC SERVICE**

1997	Medical Marijuana Technical Advisory Committee, California Medical Association
1998	Alternative Therapies Technical Advisory Committee, California Medical Association

**RESEARCH AWARDS AND GRANTS**

R21 DA020831-01 (PI) NIDA Opioid and Cannabinoid Pharmacokinetic Interactions	04/01/06 – 03/31/09 \$125,000 direct/yr 1 \$275,000 direct/yr 1 - 2
R01 DA/MH 11607 (PI) NIH/NIDA/NIMH Short-Term Effects of Cannabinoids in Patients with HIV-1 Infection	10/01/97 – 9/30/00 \$304,839 direct/yr 1 \$809,394 direct/yr 1 - 3
C00-SF-101 (PI) CMCR, UC San Diego Marijuana for Treatment of HIV-related Peripheral Neuropathy	09/01/01 - 08/31/04 \$315,316/direct yr 1 \$955,971 direct/yr 1 - 3

Abridged.

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C00-SF-108 (PI) CMCR, UC San Diego Marijuana in Combination with Opioids for Cancer Pain	05/01/03 - 04/30/04 \$250,368 direct/yr 1
C03-SF-115 (PI) CMCR, UC San Diego Vaporization as a "Smokeless" Cannabis Delivery System	07/01/04 - 06/31/05 \$137,488 direct/yr 1

## PEER REVIEWED PUBLICATIONS

1. **Abrams, DI.** Medical marijuana: Tribulations and trials. *Journal of Psychoactive Drugs*, 30:163-69, 1998.
2. Bredt BM, Higuera-Alhino D, Shade SB, Herbert S, McCune JM, **Abrams, DI.** Short-term effects of cannabinoids on immune phenotype and function in HIV-1-infected patients. *Journal of Clinical Pharmacology*, 42:82S-89S, 2002.
3. **Abrams DI,** Hilton JF, Leiser RJ, Shade SB, Elbeik TA, Aweeka FT, Benowitz NL, Bredt BM, Kosel B, Aberg JA, Deeks SG, Mitchell TF, Mulligan K, McCune JM, Schambelan M. Short-term safety of cannabinoids in HIV infection: Results of a randomized, controlled clinical trial. *Annals Intern Med*, 139:258-266, August 19, 2003.
4. Carter GT, Weydt P, Kyashna-Tocha M, **Abrams DI.** Medical cannabis: Rational guidelines for dosing. *Idrugs*, 7:464-470, 2004.
5. **Abrams DI,** Vizoso HP, Shade SB, Jay C, Kelly ME, Benowitz N. Vaporization as a smokeless cannabis delivery system: A pilot study. *Clinical Pharmacology and Therapeutics*, 82:572-578, 2007.
6. Carter GT, Flanagan AM, Earlywine M, **Abrams DI,** Aggarwal SK, Grinspoon L. Cannabis in palliative medicine: improving care and reducing opioid-related morbidity. *Am J Hosp Palliat Care*. 28:297-303, 2011.
7. **Abrams DI,** Couey P, Shade SB, Dhruva A, Kelly ME, Benowitz NL. Cannabinoid:opioid interaction in chronic pain. *Clinical Pharmacology and Therapeutics* 90:844-851, 2011.



## GREGORY S. BONETT

1819 Westholme Ave. — Los Angeles, CA 90025 — (515) 450-0133 — bonett2015@lawnet.ucla.edu

### EDUCATION

UCLA School of Law, Los Angeles, CA

Juris Doctor Candidate, May 2015

*Activities:* El Centro Legal Volunteer: Legal Aid Foundation Los Angeles Landlord/Tenant Clinic

UCLA Luskin School of Public Affairs, Los Angeles, CA

Master of Public Policy, December 2012

Center For Dispute Resolution, Santa Monica, CA

Certificate of Training in Mediation, July 2011

Iowa State University, Ames, IA

Bachelor of Science, Electrical Engineering and Physics, May 2008

### EXPERIENCE

Neighborhood Legal Services, Pacoima, CA

Volunteer, Fall 2011 – Summer 2012

- Assisted *pro se* litigants filing wage claims with the labor commissioner, unemployment insurance appeals, or petitions to their expunge criminal record.

UCLA Luskin School of Public Affairs, Los Angeles, CA

Graduate Teaching Assistant for Economics, Fall 2011

- Led section twice a week for microeconomics course for public policy students
- Graded homework assignments and exams

BOTEC Analysis, Los Angeles, CA

Junior Policy Analyst, Summer 2011

- Engaged in research and policy analysis for tobacco-industry client regarding illicit cigarette dealing
- Projected consequences of proposed regulation including evasion through illicit markets and harm from enforcement efforts

University of Iowa Hospitals and Clinics, Iowa City, IA

Research Assistant, June 2008 – May 2009

- Developed software to process MRI data
- Facilitated a multi-site neuroimaging study
- Interpreted and published results with collaborators

### PUBLICATIONS

J. Balmin, G. Bonett, M. Kirkeby, *Increasing Electric Vehicle Charging Access in Multi-Unit Dwellings in Los Angeles*, UCLA Luskin Center for Innovation, August 2012.

V. Magnotta, others, and G. Bonett, *Multi-Center Reliability of Diffusion Tensor Imaging*, *Journal of Brain Connectivity*, to appear 2013.

S. Kemmet, G. Bonett, M. Mina, and R. Weber, *Fiber Based Measurements of Domain Characteristics in Bismuth Substituted Iron Garnets*, IEEE International Conference on Electro/Information Technology, pp. 148–150, May 2008.

### COMMUNITY INVOLVEMENT

- Speaker, Iowa State University Dr. Martin Luther King, Jr., Holiday Celebration  
Addressed issues of race, poverty, and non-violence as a student activist
- Co-Founder, The Ames Progressive  
Directed publication, fund raising, and community organizing efforts
- President, American Civil Liberties Union at ISU  
Led civil rights awareness and lobbying efforts

**Joan L. Brody**  
108 S. Donald Avenue  
Arlington Heights, IL 60004  
847-259-1025  
[BrodyJL@aol.com](mailto:BrodyJL@aol.com)

## **EXPERIENCE**

**2001-present Joan L. Brody Grant Writing and Policy Development, Arlington Heights, IL**  
*Consultant*

Grant identification/proposal writing, criminal justice strategic planning, research and policy development work with government, non-profit and for-profit criminal justice organizations. Clients include Chicago Police Department, Los Angeles Police Department, Chicago Law Department, Chicago Department of Environment, Illinois Division of Alcoholism/Substance Abuse, Illinois Department of Corrections, Illinois Governor's Office, Nassau County District Attorney's Office and other public safety agencies, consulting firms, school districts and community organizations in Alabama, California, Connecticut, Illinois, Indiana, Missouri, New Jersey, New York, and Washington.

**1998-2001 Pinkerton/First Security Consulting, Incorporated, New York, NY**  
*Managing Director*

Worked with national and international city mayors and police chiefs to develop and implement strategic public safety, funding and management plans. Managed internal firm marketing and business tasks including staffing, project management, budgeting, billing, public relations functions and proposal writing.

**1997-1998 City of Chicago Mayor's Office, Chicago, IL**  
*Assistant to the Mayor*

Worked on citywide criminal justice planning efforts. Assisted in developing crime reduction and quality of life strategies. Conducted research and wrote policy briefings. Negotiated inter-agency agreements pertaining to public safety protocols.

**1996-1997 First Security Consulting, Incorporated, New York, NY**  
*Senior Associate*

Worked with national and international city mayors and police chiefs to develop and implement strategic public safety, funding and management plans.

**1994-1996 Police Commissioner's Office, New York City Police Department, New York, NY**  
*Special Assistant to the Police Commissioner for Intergovernmental Relations*

Served as senior advisor to the Police Commissioner and top city officials on federal criminal justice policy. Managed grant development. Supervised a staff of four grant writers. Obtained over \$200 million in grant funding. Assisted in developing and implementing crime strategies and organizational reengineering plans resulting in a 50% crime decline.

**1992-1994 Boston Police Department, Boston, MA**  
*Federal Liaison, Neighborhood Policing Coordinator*

Directed \$5 million intergovernmental and private sector resource development effort. Developed police department federal agenda. Managed implementation of 29 Community Policing Plan of Action Recommendations.

**1989-1992 Illinois Department of Alcoholism and Substance Abuse, Chicago, IL**  
*Criminal Justice Specialist*

Developed and implemented statewide drug treatment strategy for substance abusing offenders. Managed budgets exceeding \$15 million. Initiated first Criminal Justice Plan of Action.

**1988 Criminal Justice Information Authority, Chicago, IL**  
*Governor's Intern*

Implemented and evaluated statewide crime prevention program. Assisted with public relations and marketing tasks including writing crime prevention literature and coordinating media campaign.

**1985 Massachusetts Halfway Houses, Incorporated, Boston, MA**  
*Assistant House Manager*

Directed and achieved accreditation by the American Correctional Association.

**1984-1985 Cook County Department of Corrections, Chicago, IL**  
*Executive Assistant to Director of Legal Services, Cook County Jail*

Conducted research for State's Attorney. Instructed correctional officers in Training Academy.

## **EDUCATION**

- 1987-1989**     **Harvard University, John F. Kennedy School of Government, Cambridge, MA**  
Master of Public Policy 1989
- 1986-1987**     **Northeastern University, College of Criminal Justice, Boston, MA**  
Master of Science in Criminal Justice, Graduate Fellowship Award 1987
- 1983-1986**     **Northeastern University, College of Criminal Justice, Boston, MA**  
Bachelor of Science in Criminal Justice, *Summa Cum Laude* and Class Valedictorian 1986

## **OTHER**

- 1994-1995**     White House Fellowship National Finalist, Washington D.C.

# Catherine M. Cotter

## Energy Consultant/Grant Writer

513 North Douglas Avenue, Arlington Heights, IL 60004 • 224.595.9379

[catherine.cotter@G2GC.com](mailto:catherine.cotter@G2GC.com)

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### QUALIFICATIONS

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Accomplished professional with 20 years of wide-ranging public and private business experience. Expert in identifying energy efficiency and renewable energy solutions for clients. Skillful at finding and obtaining external funding to finance solutions.

- Guide clients in articulating appropriate energy reduction and sustainability goals.
- Provide carbon reduction solutions ranging from programmatic, behavioral, and organizational changes to capital investments to optimize sustainability goals.
- Develop and maintain relationships with grant makers, from foundations to utilities to government agencies, to effectively and creatively identify all applicable grant and funding opportunities.
- Work with network of independent sustainability, grant, and budget specialists to provide holistic, turnkey solutions for clients, from funding identification to grant writing to grant management.

Previously, as Vice President of First Chicago (now JP Morgan Chase), provided senior management with key industry trend analyses for a variety of industries and results of company stress-tests to assist in directing the growth and composition of the Banks commercial and institutional credit portfolio. Prior to that, as Senior Labor Economist of state agency (Wisconsin), identified employment growth opportunities to direct the State's vocational and adult training programs.

#### Key Skills:

- Comprehensive and in-depth knowledge of energy policies and energy funding sources
- Strong research and analytical abilities
- Exceptional verbal and written capabilities, from technical writing to marketing materials
- Successful identification of funding options
- Effective relationship-builder to drive projects to successful completion
- Knowledgeable about ways to cut energy use and costs—efficiency measures, behavioral changes, and alternative fuel sources
- Project management and coordination
- MS Office Apps, EPA's Portfolio Manager & related
- Valuable team-player & independent worker
- Continuously train to stay on top of field

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### PROFESSIONAL EXPERIENCE

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#### **President and Founder, Green2Green Consulting, Inc. 2009 – present**

Work with clients to design energy savings plans, identify outside funding sources for initiatives, stage and write grants and incentive applications, identify ways to promote and market a project's success.

Past clients: municipalities, schools, commercial buildings, public-private coalition, green association.

Affiliations: *Great Lakes Regional Pollution Prevention Roundtable*, *Cool Cities*, the *Zero Energy Commercial Buildings Consortium (ZCBC)*—a public/private consortium that works with the U.S. Department of Energy to develop and deliver technology, policies, and practices to achieve a market transition to Zero Net Energy Commercial Buildings by 2030.

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## PROFESSIONAL EXPERIENCE, continued

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### **Volunteer Work, 1999-2009**

Time off to raise family but maintained heavy involvement in school and community leadership activities, including fundraising for educational foundation, treasurer of non-profit, and co-producer for The King's Players theatre company.

### **Vice President (Industry Analysis), First Chicago Bank (JP Morgan Chase), Chicago, IL, 1990 – 1998**

Tracked industry trends and risks. Developed company competitive assessments and guidelines to monitor company performance. Made company-lending recommendations. Management used results and recommendations to direct growth and composition of Bank's credit portfolio.

Helped coordinate analytical activities from different divisions within the bank, presented training seminars to credit officers, developed and produced macroeconomic and industry forecasts. Credit officers used forecasts and analyses to determine credit worthiness of prospective customers.

Transformed industry limit system concepts, ideas and data into effective presentation format. Materials were used to train credit officers to underwrite more viable loans and limit Bank's overall risk exposure.

### **Senior Labor Economist, Wisconsin Vocational Technical College System, 1984 – 1990**

Established research agenda to help policy makers and educational consultants focus State's training initiatives. Presented findings/policy recommendations in executive, policy-making and academic settings.

Evaluated job training program needs throughout Wisconsin. Was effective liaison between state agencies to develop an occupational training and skills system, resulting in more efficient allocation of federal and state funding by state/local training coordinators and making graduates more employable.

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## EDUCATION

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### **EPA, EPA ENERGY STAR, USGBC, Green Building Education Services, Harper College.**

Certifications:

- Sustainable Living
- Best Practices to Improve Energy Performance and Rating Energy Performance
- EPA's Portfolio Manager: Office Buildings
- EPA's Portfolio Manager: Hotels
- Green Building and LEED Fundamentals.

**University of Wisconsin, Madison, WI. M.S., Applied Economics. Industrial Location, Community Economic Development.**

**Lawrence University, Appleton, WI. B.S., Economics. *Magna Cum Laude* and *Phi Beta Kappa*.**

**DePaul University, Chicago, IL. Certificate in International Marketing, Executive Business Program.**

**University of Pune, Pune, India. Certificate course in Marathi Language and Culture.**

# Jonathan P. Caulkins

Carnegie Mellon University  
Heinz College  
5000 Forbes Ave.  
Pittsburgh, PA 15213  
caulkins@andrew.cmu.edu

1652 King James Dr.  
Pittsburgh, PA 15237  
(412) 268-9590 (daytime)  
(412) 635-7399 (evenings)

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## EDUCATION

Ph.D., Operations Research, M.I.T., 1990

Thesis: "The Distribution and Consumption of Illicit Drugs: Some Mathematical Models and Their Policy Implications," Supervisor: Arnold I. Barnett

S.M., Electrical Engineering and Computer Science, M.I.T., 1989

Thesis: "Inventory and the Strategic Value of Product-Flexible Manufacturing Systems," Supervisor: Charles H. Fine

M.S., Systems Science and Mathematics, Washington University, 1987

B.S., Systems Science and Engineering, Computer Science, and Engineering & Policy, Washington University, 1987

## EXPERIENCE

H. Guyford Stever Professor of Operations Research  
1990 - present Carnegie Mellon University Heinz School of Public Policy & Mgmt  
2005 - 2011 Carnegie Mellon University in Qatar

1999 - 2001 Founding Director of Pittsburgh Office, RAND

1994 - 1996 Co-director of the Drug Policy Research Center, RAND

### Adjunct & Consulting Affiliations

1990 - present BOTEK (Senior Scientist), RAND (Senior Operations Research Analyst),  
Consultant: UNODC, SOCA, CIA/CNC, UKDPC, UK SOCA, BOTEK,  
QED, Westat, others

## RESEARCH INTERESTS

- Marijuana legalization
- Mathematical models of social policy problems and interventions
- Policies concerning drugs, crime, violence, delinquency, & prevention

## PUBLICATIONS

### Books and Monographs

Caulkins, Jonathan P., Angela Hawken, Beau Kilmer and Mark A.R. Kleiman (2012). *Marijuana Legalization: What Everyone Needs to Know*. Oxford University Press.

Kleiman, Mark A.R., Jonathan P. Caulkins, and Angela Hawken (2011). *Drugs and Drug Policy: What Everyone Needs to Know*. Oxford University Press.

Thomas Babor, Jonathan Caulkins, Griffith Edwards, David Foxcroft, Keith Humphreys, Maria Medina Mora, Isidore Obot, Jurgen Rehm, Peter Reuter, Robin Room, Ingeborg Rossow, and John Strang. 2010. *Drug Policy and the Public Good*. Oxford University Press.

Grass, Dieter, Jonathan P. Caulkins, Gustav Feichtinger, Gernot Tragler, and Doris Behrens. 2008. *Optimal Control of Nonlinear Processes: With Applications in Drugs, Corruption, and Terror*. Springer.

Caulkins, Jonathan P., Rosalie Pacula, Susan Paddock, and James Chiesa. 2002. *School-Based Drug Prevention: What Kind of Drug Use Does it Prevent?* RAND, Santa Monica, CA.

Caulkins, Jonathan P., C. Peter Rydell, William L. Schwabe, and James Chiesa. 1997. *Mandatory Minimum Drug Sentences: Throwing Away the Key or the Taxpayers' Money?* RAND, Santa Monica, CA.

### Articles in Refereed Journals

Paddock, Susan M., Beau Kilmer, Jonathan P. Caulkins, Marika J. Booth and Rosalie L. Pacula (2012). An Epidemiological Model for Examining Marijuana Use over the Life Course. *Epidemiology Research International*. Article ID: 520894. Doi:10.1155/2012/520894. PMCID: PMC3518305.

Caulkins, Jonathan P., Anna Kasunic, and Michael A.C. Lee (2012). Marijuana Legalization: Lessons from the 2012 State Proposals. *World Medical and Health Policy*. 4(3):4-34.

Caulkins, Jonathan P.; Coulson, Carolyn C.; Farber, Christina; and Vesely, Joseph V. (2012) Marijuana Legalization: Certainty, Impossibility, Both, or Neither?, *Journal of Drug Policy Analysis*, 5(1):1-27.

Strang, John, Thomas Babor, Jonathan P. Caulkins, Benedikt Fischer, David Foxcroft, and Keith Humphreys (2012). Drug Policy and the Public Good: evidence for effectiveness of interventions. *Lancet*. 379(9810):71-83.

Coulson, Carolyn and Jonathan P. Caulkins (2012). Scheduling of Newly Emerging Drugs: A Critical Review of Decisions Over 40 Years. *Addiction*. 107(4):766-773.

Caulkins, Jonathan P. and Brittany Bond (2012). Marijuana Price Gradients: Implications for Exports and Export-Generated Tax Revenue for California After Legalization. *Journal of Drug Issues*. 42(1):28-45.

Caulkins, Jonathan P., Beau Kilmer, Robert J. MacCoun, Rosalie Liccardo Pacula, and Peter Reuter. 2012. Design Considerations for Legalizing Cannabis: Lessons Inspired by Analysis of California's Proposition 19. *Addiction*. 107(5): 865-871 (Response to commentaries also published as pp.876-877.)

Caulkins, Jonathan P. and Carolyn Coulson (2011). To Schedule or not to Schedule: How Well Do We Decide? *Journal of Global Drug Policy and Practice*. 5(4).

Kilmer, Beau, Jonathan P., Caulkins, Rosalie Liccardo Pacula, and Peter Reuter. 2011. Bringing Perspective to Illicit Markets: Estimating the Size of the U.S. Marijuana Market. *Drug and Alcohol Dependence*. 119, 153-160.

Caulkins, Jonathan P. 2007. "The Need for Dynamic Drug Policy." *Addiction*. 102(1):4-7.

#### **RAND Publications**

Kilmer, Beau, Jonathan P. Caulkins, Rosalie Liccardo Pacula, and Peter Reuter (2012). *The U.S. Drug Policy Landscape: Insights and Opportunities for Improving the View*. RAND OP-393, Santa Monica, CA.

Kilmer, Beau, Jonathan P. Caulkins, Rosalie Liccardo Pacula, Robert MacCoun, Peter Reuter (2010). *Altered State? Assessing how marijuana legalization in California could influence marijuana consumption and public budgets*. RAND OP-315-RC, Santa Monica, CA.

Caulkins, Jonathan P., Eric Morris, and Rhajiv Ratnatunga (2010). *Smuggling and Excise Tax Evasion for Legal Marijuana*. RAND WR-766-RC, Santa Monica, CA, [http://www.rand.org/pubs/working\\_papers/2010/RAND\\_WR764.pdf](http://www.rand.org/pubs/working_papers/2010/RAND_WR764.pdf).

Bond, Brittany M. and Jonathan P. Caulkins (2010). *Potential for Legal Marijuana Sales in California to Supply Rest of U.S.* RAND WR-765-RC, Santa



Monica, CA,  
[http://www.rand.org/pubs/working\\_papers/2010/RAND\\_WR764.pdf](http://www.rand.org/pubs/working_papers/2010/RAND_WR764.pdf).

Caulkins, Jonathan P. (2010). *Estimated Cost of Production for Legal Cannabis*. RAND WR-764-RC, Santa Monica, CA,  
[http://www.rand.org/pubs/working\\_papers/2010/RAND\\_WR764.pdf](http://www.rand.org/pubs/working_papers/2010/RAND_WR764.pdf).

Caulkins, Jonathan P. (2010). *Cost of Marijuana Prohibition on the California Criminal Justice System*. RAND WR-763-RC, Santa Monica, CA,  
[http://www.rand.org/pubs/working\\_papers/2010/RAND\\_WR763.pdf](http://www.rand.org/pubs/working_papers/2010/RAND_WR763.pdf).

### **Chapters in Edited Volumes**

Caulkins, Jonathan P. and Beau Kilmer (2013). Criminal Justice Costs of Prohibiting Marijuana in California. In *Something's in the Air: Race and the Legalization of Marijuana*, eds. Katherine Tate, James Lance Taylor, and Mark Q. Sawyer. Routledge.

Caulkins, Jonathan P., Anna Kasunic, Mark A.R. Kleiman, and Michael A.C. Lee (forthcoming). The Pros and Cons of Legalization. In *Substance Abuse in Adolescents and Young Adults: A Critical Conundrum for Society*, eds. Donale E. Greydanus, Gabriel Kaplan, Dilip Patel, and Joav Merrick.

### **Conference Proceedings**

Caulkins, Jonathan P. and Michael Lee. 2012. Legalizing Drugs in the U.S.: A Solution to Mexico's Problems for Which Mexico Should Not Wait. Counter-Terror Operations," in Ernesto Zedillo and Haynie Wheeler (eds.), *Rethinking the "War on Drugs" Through the US-Mexico Prism*, pp.108-124.

### **Other Professional Publications**

Hawken, Angela, Caulkins, Jonathan P., Beau Kilmer, and Mark A.R. Kleiman. 2013. "Quasi-Legal Cannabis in Colorado and Washington: Local and National Implications." Editorial in *Addiction*.

Caulkins, Jonathan P. and Beau Kilmer (with Marlon Graf). 2013. Estimating the Size of the EU Cannabis Market.

Caulkins, Jonathan P., Angela Hawken, Beau Kilmer, and Mark A.R. Kleiman. 2012. Marijuana Legalization 2012 Style: The Brewing Conflict Between State and Local Laws. *American Interest*.

**DAVID P. CAVANAGH, PH.D**  
**D/B/A APPLIED SOCIAL RESEARCH**  
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**DPCAVANAGH@COMCAST.NET**  
**617-393-1806**

## **EDUCATION**

- University of Michigan, Ann Arbor, MI.**  
Bureau of Justice Statistics Fellowship, Institute of Social Research, Summer, 1991.
- Brown University, Providence, RI**  
Ph.D. Sociology with specialization in demography 1977.
- University of Michigan, Ann Arbor, MI.**  
Graduate study in survey research, 1972.
- Brown University, Providence, RI**  
M.A. in Sociology, 1971.
- Brandeis University, Waltham, MA**  
B.A. Mathematics and Physics, 1969.

## **PROFESSIONAL EXPERIENCE**

- Adjunct Professor**, Boston Graduate School of Psychoanalysis, Boston, MA.
- Adjunct Professor**, University of Massachusetts, Boston, Department of Sociology, Boston, MA.
- Epidemiologist**, Bureau of Substance Abuse Services, Massachusetts Department of Public Health, Boston, MA.
- Consultant**, Criminal Justice and Drug Policy, Congressional Research Service, Library of Congress, Washington, DC.
- Senior Software Engineer**, Psyche Systems; Incorporated, Milford, MA.
- Senior Research Associate**, Applied Insurance Research, Incorporated, Boston, MA.
- Scientist**, National Technical Center for Substance Abuse Needs Assessment, North Charles Research and Planning Group, Cambridge, MA.
- Adjunct Professor**, University of Massachusetts, Lowell, Department of Criminal Justice. Lowell, MA.
- Interim Project Director, Senior Researcher**, Health and Addictions Research, Incorporated. Boston, MA.
- Technical Director**, BOTEK Analysis Corporation, Cambridge, MA.
- Research Fellow**, Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University, Cambridge, MA.
- Project Director**, The Value Added Project, Rhode Island College, Providence, RI.
- Senior Programmer/Analyst**, The Boston Company, Boston, MA. 1984 - 1987.

**Assistant Professor**, Wentworth Institute, Department of Computer Science, Boston, MA. 1982 - 1983.

**Part Time Instructor**, University of Massachusetts College of Management Science, Boston, MA. 1982.

**Senior Statistician**, Technology + Economics, Incorporated, Cambridge, MA.

**Chief programmer**, Policy Analysis, Incorporated, Brookline, MA.

**Chief Statistician**, Development Analysis Associates, Cambridge, MA.

#### **PUBLICATIONS AND PAPERS**

"Extreme Temperatures and Mortality: Assessing Effect Modification by Personal Characteristics and Specific Cause of Death in a Multi-City Case-Only Analysis," Co-Authors M. Medina-Ramon, J. D. Schwartz, A. Zanobetti, submitted to *American Journal of Epidemiology*.

"Juvenile Justice: Reauthorization of Justice Assistance Programs", with JoAnne O'Bryant, CRS Report for Congress, Order Code RS21395, The Library of Congress, Washington, D.C., January 22, 2003.

"An Impact Evaluation of the Multnomah County Department of Community Correction's Structured Sanctioning Process" Applied Social Research. Watertown, Massachusetts. Prepared for BOTEC Analysis Corporation. July 1995.

"A Formative and Process Evaluation of the Structured Sanctions Process in Multnomah County, Oregon" With Cary W. Harkaway, Kim Godfrey, and Stephen Harney, Esq. Presented at the 1995 Annual Meeting of the Academy of Criminal Justice Sciences. Boston, Massachusetts. 10 March 1995

"A Process Evaluation of the Drug Testing and Evaluation Program in Multnomah County, Oregon" Presented at the Fourth Annual Evaluating Drug Control Initiatives Conference. Washington, DC. June 1993.

"Relations Between Increases in the Certainty, Severity and Celerity of Punishment for Drug Crimes and Reductions in the Level of Crime, Drug Crime, and the Effects of Drug Abuse" BOTEC Analysis Corporation. Cambridge, Massachusetts. Prepared for the Office of National Drug Control Policy. 1993.

November 17, 2012

**PHILIP JACKSON COOK**

ITT/Terry Sanford Professor of Public Policy Studies Telephone: 919 613-7360  
Professor of Economics and Sociology FAX: 919 681-8288  
Sanford School of Public Policy  
Box 90245  
Duke University E-mail: pcook@duke.edu  
Durham, NC 27708

Education:

B.A. (with high distinction) University of Michigan, 1968  
Ph.D. (Economics) University of California, Berkeley, 1973

Positions held:

2009- Senior Associate Dean for Faculty, Sanford School of Public Policy  
2008-9 Schelling Visiting Professor of Public Policy, University of Maryland  
2000 Visiting Scholar, Kennedy School of Government, Harvard University  
1997-99 Director, Sanford Institute of Public Policy; Chair, Department of Public Policy Studies  
1994- ITT/Terry Sanford Professor of Public Policy Studies  
1992- Professor of Public Policy Studies, Economics, & Sociology, Duke University  
1989-90 Visiting Professor, Fuqua School of Business, Duke University  
1984- Professor of Public Policy and Economics, Duke University  
1982 Expert (part time) Office of Policy and Management Analysis, Criminal Division, U.S. Department of Justice

## Publications

### A. Health and Safety Regulation

#### 1. Books and Edited Volumes

PJ Cook and A Scharff Recommendations Concerning Administration and Rate Structure for Excise Taxation in Romania Distributed by Tax Advisory Program, US Treasury Department, August 1994.

Paying the Tab: The Economics of Alcohol Policy Princeton, NJ: Princeton University Press, 2007.

Chapters 10 and 12 serialized in Milken Economic Review 10(1) First Quarter, 2008)

#### 2. Articles

"The Effect of Liquor Taxes on Drinking, Cirrhosis, and Auto Fatalities," in Mark Moore and Dean Gerstein, eds. Alcohol and Public Policy: Beyond the Shadow of Prohibition, National Academy of Sciences, 1981, 255-285; and in Richard Zeckhauser and Derek Leebaert, eds. What Role for Government? Duke University Press, 1983, 203-220.

PJ Cook and G Tauchen "The Effect of Liquor Taxes on Heavy Drinking" Bell Journal of Economics, Autumn 1982, 379-390.

DC Chapman, PJ Cook *et al.* "The Cultural Dimensions of Alcohol Policy Worldwide", Health Affairs, summer 1989, 48-62.

### E. Income Distribution

#### 1. Book

RH Frank and PJ Cook The Winner-Take-All Society (New York: The Free Press, 1995). Named a "Notable Book of the Year, 1995" by the *New York Times Book Review*; named one of the ten Best Business Books of 1995 by *Business Week*; given The Critics' Choice Award 1995-96 by the *San Francisco Review of Books*. Paperback edition (Penguin Books, 1996).

## Selected Research grants

Principal investigator, "Empirical Studies of Robbery and Handgun Control," U.S. Department of Justice.

Principal investigator, "Costs of the Death Penalty in North Carolina," NC Administrative Office of the Courts, 1991-93.

# Steven Davenport

## Education & Diagnostics

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University of California, Los Angeles

Sep 2005 - December 2009 3.53 GPA

- B.A. International Development Studies, concentrations in Central America and Sub-Saharan Africa
- Minor – Public Affairs
- Graduate, Center for American Politics & Public Policy, UCDC.

GRE (raw, percentile): Verbal – 170, 99; Quant – 163, 88; Writing – 5.5, 96.

LSAT – 171, 98

## Experience

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Jr. Analyst / Coordinator, BOTEC Analysis Corporation

August 2011 – present

Oakland, CA

Contribute analysis to client-projects and handle day-to-day administration.

Co-writer, *Pacific Wild* (working title), Greg Foley

May 2012 – Oct 2012

Oakland, CA / NYC

As de facto lead writer, work with Mr. Foley to write and solicit publication for our young adult novel.

Proxy Analyst, Glass Lewis & Co.

Feb – June 2012

San Francisco, CA

Analyze filings of public companies, producing vote recommendations and corporate governance evaluations for consumption by our customers; after promotion to back-up executive compensation team, grade executive compensation policies based on assuring accountability and shareholder returns.

Legislative Intern, District 10 Supervisor Malia Cohen

Sep 2011 – February 2012

San Francisco, CA

In one of San Francisco's most impoverished and industrial districts, handle communication on behalf of the office, interface with constituents and work to resolve their grievances.

Online Marketing Director, Good Work Systems

March – August 2011

Berkeley, CA

Personally design, implement, and oversee web strategy, including SEO and web design. Write as principal blogger, supervise interns, and organize content-development teams of customer-volunteers.

Research Assistant, Center for American Progress

Sep – December 2009

Washington, DC

In the Economics Dept, report on disbursement of stimulus funds, the economic recovery and prospective economic policies. For Editorials, report on CAP media events for online publication

## Volunteer Experience

---

Human Resource Director, Nourish International UCLA

Sep 2008 – July 2009

Los Angeles, CA

Served simultaneously as Human Resources Director and Executive Board member in the organization's founding year.

Eagle Scout, Boy Scouts of America, Troop 100

August 2005

Berkeley, CA

## Publications

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M. Kleiman, S. Davenport, "Strategies to Control Mexican Drug-Trafficking Violence," *Journal of Drug Policy Analysis* (5):1, 2012.

## Michael A. DeFeo

### Education

B.S. in Economics 1959; LL.B. and admission to practice of law 1962; LL.M. in criminal law 1963

### Professional Positions and Duties

1963-1991 Prosecutor and manager, Organized Crime Section, U.S. Department of Justice, engaged in the development and prosecution of racketeering, narcotics, hidden ownership of Nevada gambling enterprises and corruption cases involving organized crime groups.

1991-1992 Head of U.S. delegation negotiating model money laundering regulations with other member countries of the Organization of American States.

1992-1996 Department of Justice Attaché, U.S. Embassy Rome , managing mutual legal assistance, extradition and prisoner transfer cases with Italian judicial and executive authorities.

1996-2002 Assistant Director, Federal Bureau of Investigation, U.S. Department of Justice , in charge of internal investigations, establishing and communicating disciplinary policy and disciplinary adjudication.

2002-2005 Senior Legal Advisor, U.N. Office on Drugs and Crime, Terrorism Prevention Branch, Vienna, Austria, providing technical assistance and instruction to governments through analysis of national legislation and legislative drafting advice.

2003-2004 spring semesters, Lecturer, School of Sociology, University of Trento, Italy.

2006 - Present Contractual consultant on legislative and regulatory drafting in fields of terrorism, terrorist financing, money laundering, asset recovery and corruption for international organizations, including U.N. Office on Drugs and Crime, International Monetary Fund and Asian Development Bank.

# PETER ANDREW GEHRED

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## **SUMMARY OF SKILLS**

*Policy Analysis:* Proven ability to research extant literature and apply economic concepts to understand a policy's likely effects. Used STATA for regression and statistical analysis in both academic and real world settings and Excel for cost-benefit analyses.

*Political Savvy:* Successfully handled management positions for a member of Congress in both an official and campaign capacity. Built and maintained relationships with key figures, communicated effectively, and recruited volunteers to win a high-stakes election.

*Writing and Editing:* Strong editing, proofreading, and writing abilities demonstrated in everything from editing books to writing concise policy memos to composing speeches given on the floor of the United States House of Representatives.

## **WORK EXPERIENCE**

*Fall 2012*

### **DEMOCRATIC PARTY COORDINATED CAMPAIGN**

Fort Wayne, IN

Regional Field Director

- **Highlights:** Directed field operations in state's second largest city and Republican-dominated district; with only one Field Organizer regularly stayed competitive with regions with two or three Field Organizers and more liberal districts, having 2<sup>nd</sup> highest number of voter contacts among seven regions up until the final two weeks of the election.
- Recruited, trained, and managed the Field Organizer, multiple interns, and scores of volunteers. The scale of the effort was the largest ever seen by at least one local official.
- Regional point person for both Senatorial and Gubernatorial campaigns. Kept effective communication between our campaigns and local candidates, officials, and party leaders.

*2011–2012*

### **PEW CHARITABLE TRUSTS**

Washington, DC

Pew Leadership Year Fellow for Public Safety Performance Project

- Conducted extensive literature review on causes of the 1990s crime decline, covering six books, over forty articles, and numerous popular sources. Synthesized literature into coherent narrative for internal presentation and to guide expert interviews.
- Provided editing, research, and analysis in a timely and efficient manner for premier criminal justice policy reform group.

*Summer 2010*

### **CONSERVATION COUNCIL OF NORTH CAROLINA**

Raleigh, NC

Government Relations Intern

- Scored legislator votes and wrote Conservation Council's annual Legislator Scorecard; monitored committee meetings relevant to environmental matters; wrote copy to communicate positions of Conservation Council to legislators and voters.

*2007–2009*

### **OFFICE OF CONGRESSMAN JOE DONNELLY**

South Bend, IN

Field Representative, 2008–2009; Case Manager, 2007–2008

- **Highlights:** Supervised three years of Academy nominations, delivered multiple speeches to crowds as large as 3000, and wrote a floor speech for the Congressman; promoted after just one year of work.
- One of two primary staffers for the Congressman during his time in the District; provided event preparation, briefings for Congressman, and follow-up on all requests.



**OFFICE OF CONGRESSMAN JOE DONNELLY (continued)**

- Reviewed surveys of all constituent casework by three full-time and several part time case managers; created reports on all district casework for the chief of staff; personally provided casework in areas of business, environmental, housing, and veterans' and military casework; extensive constituent service and agency communication.
- Represented the Congressman at a variety of functions, including speaking before a variety of crowds and meeting with leading public and private sector officials; assembled and managed the Congressman's Nominations and Veterans Advisory Committees. Administered the nominations process for up to twenty students applying for Academy nominations each year.

2003–2007

**AVE MARIA PRESS**

South Bend, IN

Assistant Editor, 2004–2006; Editorial Assistant, 2003–2004

- **Highlights:** Successful internal advancement of book resulted in selection to be featured by Borders, Amazon top 100 sales, and best trade seller for publishing house in 2007; tripled income on foreign rights in first year of management through pursuit of nonpayers and marketing of titles; promoted after first year of work.
- Lead editor on six to eight book manuscripts every year. Wrote copy, edited manuscripts, and promoted titles within company; led marketing and sales team in planning to maximize sales for each book; variety of copyediting and proofreading duties on all titles; managed foreign and subsidiary rights for entire publishing house.

2002–2003

**MIDWEST THEOLOGICAL FORUM**

Chicago, IL

Managing Editor

- Oversaw the final stages of a major translation project; had extensive copyediting and proofreading duties.

**EDUCATION DUKE UNIVERSITY, SANFORD SCHOOL OF PUBLIC POLICY**

Durham, NC

Master of Public Policy, May 2011

GPA: 3.70

Master's project consisting in original regression analysis of pretrial misconduct and risk prediction in Durham County. Considered by my renowned faculty advisor to be "one of the most successful and interesting master's projects that I've advised during last 35 years." My leadership was specifically recognized and honored by the program.

**UNIVERSITY OF NOTRE DAME**

Notre Dame, IN

Bachelor of Arts in Philosophy and English, *magna cum laude*, May 2001

GPA: 3.77

Composed original thesis on epistemology for highly selective Honors Program.

**ACTIVITIES**

*Ex Officio* Member, Board of Visitors, Sanford School of Public Policy, 2010–2011

Representative, Dean's Liaison, and Chair, Masters Program Student Council, 2009–2011

Teaching Assistant, USAID cost-benefit analysis workshop, Summer 2011

Logistics Co-chair, Art Beat: South Bend's premier annual arts celebration brought

five thousand people to downtown South Bend, 2008

Volunteer tutor, Chicago and South Bend, 2002–2008

Consistently active: Started a lunchtime career series for Duke classmates featuring the chief of staff for North Carolina's Speaker of the House and polling director for Public Policy Polling, started a faculty-student dinner series, organized a summer volleyball group over multiple years that led to a marriage, and travelling to over fifteen countries and forty states.

**Technical Consultant for infused product manufacturing**

**Professional Experience**

**Nutraceutical Production and Quality Control, 5 years**

- Product development
- Working familiarity of cGMP's, Good Laboratory Practices, FDA compliance
- Streamlining production for highest consistency and throughput

**Restaurant Ownership, 7 years**

- Working familiarity of health department requirements
- Mass production of sweet and savory products
- Managing product stability and loss

**Quality Control and Regulatory Laboratory, 20 years**

- US Pharmacopeia familiarity
- Multiple industry experience: environmental remediation, food production, ingredient processing, vitamin and herbal supplement contract manufacturing

**Cannabis infused product production and testing, 3 years**

- Developed efficient extraction and extract cleanup techniques
- Developed methods for precisely, accurately, and consistently dosing oral doses of all kinds.
- Large volume capabilities

**Infused Product Expertise**

- Dry fill Cannabis Extract Capsule
- Sublingual Spray
- Dosed Lozenge
- Dosed Gummy
- Dosed SoftMelt
- Dosed Sublingual strip
- Dosed Glycerin Tincture
- Dosed Artisan Caramels
- Dosed, Flavored Vapor E-Cig
- Dosed soups, entrees, sauces, desserts

**Curriculum Vitae**  
**Angela Hawken, Ph.D**

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Pepperdine University  
School of Public Policy  
24255 Pacific Coast Highway  
Malibu, CA 90263-7490  
Office phone (310) 506-7608  
Fax (310) 506-7494  
ahawken@pepperdine.edu

**Work Experience**

- 2010-current *Associate Professor*, Pepperdine University, School of Public Policy, Malibu
- 2010-current *Adjunct Affiliations*
- BOTECH (Senior Scientist)
  - University of Chicago (Crime lab member)
- 2004–2009 *Assistant Professor*, Pepperdine University, School of Public Policy, Malibu
- 2003–2008 *Research Economist*, University of California, Los Angeles
- Economist for UCLA Research Center
  - Director of statewide benefit-cost analysis for Proposition 36 evaluation
  - Co-Principal Investigator on 2006–2013 Proposition 36 evaluation
  - Principal Investigator on evaluation of H.O.P.E.
- 2005–2009 *Consultant*, United Nations Development Programme
- UNDP (Afghanistan). Developed assessment tool for monitoring corruption in Afghanistan
  - UNDP (Asia and the Pacific). Wrote corruption chapter for Human Development Report
  - UNDP (Asia and the Pacific). Wrote gender chapter for Human Development Report
- 2002–2006 *Visiting Professor*, Georgian Foundation for Strategic and International Studies, Tbilisi
- Taught policy analysis (including research methods, statistics, and decision analysis) to mid-career government officials at U.S. State Department supported think tank
- 2005 *Expert Consultant*, Tbilisi State University, Tbilisi
- Advisor on curriculum development in economics and policy analysis
- 1999–2005 *Doctoral Fellow*, RAND, Santa Monica
- Institute of Civil Justice: Econometrician. Analyzed impact of

legislative regimes on insurance costs. Estimated economic consequences of attorney representation. Estimated extent of insurance industry fraud across states and evaluated impact of state anti-fraud efforts.

- Drug Policy Research Center: Prepared background reports and co-hosted workshop for key policy makers in U.S.-Colombia drug-interdiction effort. Conducted time-series analysis of California crime trends.
- Institute of Criminal Justice: Evaluated impact of California's Three Strikes law.

- 1998 *Full Faculty*, The University of the Witwatersrand, Johannesburg
- 1997–1998 *Consultant*, Department of Education, Pretoria  
Developed higher-education-financing model to assess viability of existing regime and options for finance reform
- 1996–1997 *Junior Faculty*, The University of the Witwatersrand, Johannesburg
- 1996–1997 *Consultant*, Inner City Housing Unit Trust, Johannesburg  
Econometrician and model builder. Designed housing affordability model for Johannesburg city center, developed household survey, and prepared reports.
- 1996–1997 *Consultant*, South African Police Services, Johannesburg  
Survey analyst and model builder. Designed housing-affordability model for SAPS employees, and developed incentive scheme for relocating police housing into undesirable neighborhoods as part of crime-reduction program.

### **Education**

- 2005 Ph.D., Policy Analysis, The RAND Graduate School, Santa Monica
- 1998 M.A., Economics (Coursework), The University of the Witwatersrand, Johannesburg
- 1995 Honors Degree, Economics, The University of the Witwatersrand, Johannesburg
- 1994 B.Com., Economics, The University of the Witwatersrand, Johannesburg

### **Research Grants Awarded**

- Bureau of Justice Assistance – Swift and Certain in Washington State (2013)
- Bureau of Justice Assistance – National Field Demonstration Experiment (2012/14)
- National Institute of Justice – HOPE II special unit 7-year followup (2011/12)
- Smith Richardson Foundation – HOPE II 3-year trial followup (2010/12)
- Provost Award – Nutritional Interventions (2011)
- National Institute of Justice – HOPE special unit quasi-experimental (2007/8)
- Smith Richardson Foundation – HOPE randomized controlled trial (2007/8)
- Provost Award – Support for field experiments (2007)
- Open Society Institute – Methadone maintenance in the Republic of Georgia (2007)
- California Policy Research Center – Evaluation of California's Proposition 36 (2006)

## **Publications**

### *Books*

Jonathan Caulkins, Angela Hawken, Beau Kilmer, and Mark Kleiman (2012) "Marijuana Legalization: What Everyone Needs to Know," New York: Oxford University Press.

Mark Kleiman, Jonathan Caulkins, and Angela Hawken (2011) "Drugs and Drug Policy: What Everyone Needs to Know," New York: Oxford University Press.

### *Book Chapters*

Angela Hawken and Jonathan Kulick (2009) "U.S. Federal Drug Policy," in Bankole A. Johnson (ed.), *Addictive Disorders and Substance Abuse*, New York: Springer Press.

Angela Hawken and Gerardo L. Munck (2009) "Measuring Corruption. A Critical Assessment and a Proposal," in Anuradha Rajivan and Ramesh Gampat (eds.), *Tackling Corruption, Transforming Lives*, New Delhi: Macmillan India.

David Farabee and Angela Hawken (2009) "Methamphetamine and Crime," in John Roll, Richard Rawson, Walter Ling, & Steven Shoptaw, S. (eds.), *Methamphetamine Addiction: From Basic Science to Treatment*, New York: Guilford Press.

### *Journal Articles*

Angela Hawken, Jonathan P. Caulkins, Beau Kilmer and Mark Kleiman (2013) "Quasi-Legal Cannabis in Colorado and Washington: Local and National Implications" *Addiction*. [Accepted. In Press]

Mark Kleiman, Jonathan P. Caulkins, Angela Hawken, and Beau Kilmer (2012) "Eight Questions for Drug Policy Research," *Issues in Science and Technology*, Summer.

Jonathan Caulkins, Angela Hawken, Beau Kilmer, and Mark Kleiman. (2012). A voter's guide to legalizing marijuana. *The American Interest*, Nov-Dec.

### *Published Reports*

Angela Hawken, Douglas Anglin, and Douglas Longshore (2007) "Treatment Disparities Following Drug Policy Reform," Berkeley: California Policy Research Center.

Angela Hawken (2008) "High-Risk and High-Cost Offenders in Proposition 36" Sacramento: Department of Alcohol and Drug Programs, California Health and Human Services Agency.

Angela Hawken, Douglas Longshore, Darren Urada, Jia Fan, and M. Douglas Anglin (2008) "Proposition 36 Benefit-Cost Analysis," Sacramento: Department of Alcohol and Drug Programs, California Health and Human Services Agency.

Lowry Heussler  
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**Commonwealth of Massachusetts** September, 2009 – present  
Department of Labor and Workforce Development  
Board of Review

**Donahue, Grolman & Earle** June, 2007 – September, 2009  
Partner

**Board of Registration in Medicine** November, 2005 – June, 2007  
Prosecutor

**Commonwealth of Massachusetts** April, 2002 – November, 2005  
**Regional Counsel: Norfolk County Housing Authorities**

**Fenn & Heussler** March, 1993 – April, 2002  
Partner

**Friedman & Atherton** November, 1989 – March, 1993  
Associate

#### LEGAL PRACTICE AREAS

**Administrative and Agency Law:** Extensive experience before the various agencies in the Executive Branch including the Department of Corrections, Massachusetts Board of Registration in Medicine, Board of Registration in Dentistry, Board of Registration in Nursing, Massachusetts Commission Against Discrimination, Department of Housing & Community Development, Department of Social Services, Division of Housing Appeals, Board of Bar Overseers; Department of Environmental Protection, Cambridge Human Rights Commission, and various municipal Zoning Boards of Appeal and Planning Boards.

**Trial:** Twenty years of trial experience, civil and criminal, state and federal.

**Transactional Law:** Real estate conveyancing and financing, entity formation, business governance, contract development and negotiation, partnership agreements, commercial leasing, non-compete and non-disclosure agreements, general corporate counsel services.

**Appellate:** Andover Housing Authority v. Shkolnik, 443 Mass. 300 (2005) (authored amicus brief), Saunders Enterprises v. Russo, A.C. No. 03-P-1008; Martinez v. Silva, A.C. No. 99-P-1880; Commonwealth v. Martinez 425 Mass. 382 (1997) (co-authored brief); Jaxtiner v. Visco, et al., Appeals Court No. 96-P-702; (authored amicus brief) Commonwealth v. Pinckney, 419 Mass. 341 (1995) (co-authored brief); Good v. Comm'r of Correction, 417 Mass. 329 (1994) (co-authored brief); Atlantic Mutual Ins. Co. v.

McFadden, 413 Mass. 90 (1992); Commonwealth v. Strahan, 39 Mass. App. Ct. 928 (1995); LaLonde v. LaLonde, 30 Mass. App. Ct. 117 (1991) (co-authored brief); United States v. Grant, 971 F.2d 799 (1st Cir. 1992) (co-authored brief); Catrone v. Thoroughbred Racing Ass'n of North America, Inc., 929 F.2d. 881 (1st Cir. 1991) (co-authored brief); Hager v. Sec'y of the Air Force, 938 F.2d 1449 (1st Cir. 1991) (co-authored brief).

**Employment Law:** Trial and appellate experience in employment matters, comprehensive legal services to employers to ensure compliance and minimize risk of exposure. Advice and training available for all levels of the HR process, from screening and recruiting through HR management, accommodation of disability and adverse action.

**Non-legal employment**

Prior to law school, I taught high school English and Latin.

RESEARCH AND PUBLICATIONS

Co-author:  
with Mark Kleiman,  
Crime-Minimizing Drug Policy  
2011, Journal of Criminal Justice.

with BOTEC Analysis Corporation,  
Criminal Justice in Massachusetts: Putting Crime Control First,  
1996, Massachusetts Institute for a New Commonwealth.

**Chief researcher and Co-author:**

Opportunities and Barriers in Probation Reform: A case study of drug testing and sanctions. Study commissioned by California Probation Department, in conjunction with BOTEC Analysis Corporation

**Research and Editorial Assistance:**

Kleiman, Against Excess: Drug Policy for Results,  
BasicBooks, New York, N.Y. (1992).

**Research Design Assistant:**

with BOTEC Analysis Corporation,  
Analysis of Cocaine and Heroin Market Structure.

COMMUNITY SERVICE

**National Education for Assistance Dog Services/Canines for Combat Veterans**

(Nonprofit organization that trains service dogs to assist the disabled.)

Member of the Board of Directors, 2002- present

Volunteer advocate for the disabled.

## CURRICULUM VITA

NAME: **Keith Nielsen Humphreys**

ADDRESSES: Center for Health Care Evaluation  
VA Palo Alto HCS (152-MPD)  
795 Willow Road  
Menlo Park, CA 94025  
[Keith.Humphreys@va.gov](mailto:Keith.Humphreys@va.gov)

Department of Psychiatry  
401 N. Quarry Road, Room C-305  
Stanford Univ. School of Medicine  
Stanford, CA 94305-5717  
[Knh@stanford.edu](mailto:Knh@stanford.edu)

### EDUCATION:

A. M., Ph.D. Clinical/Community Psychology	University of Illinois Urbana, Illinois	1989-1993
B. A., <i>Summa Cum Laude</i> Psychology	Michigan State University East Lansing, Michigan	1984-1988

### CAREER NOTE:

From July 2009-July 2010 I took a one year leave from my Stanford and VA duties to serve as Senior Policy Advisor at the White House Office of National Drug Control Policy. This is why my cv records my resignation from many advisory councils, editorial boards, and grants in 2009, and, a lack of academic work during this period. While at the White House, my principal responsibilities were advising the Director and Deputy Director on the prevention, early intervention and treatment of substance use disorders, health insurance coverage for such care, the place of substance use and mental health disorders in the Affordable Care Act (health care reform), the improvement of community parole/probation systems, and the research base on drug policy generally. I was also responsible for producing the demand reduction components of President Obama's National Drug Control Strategy, and, served as a member of the overarching committee of the White House Office of National AIDS Policy that designed President Obama's National HIV/AIDS Strategy.

### ACADEMIC APPOINTMENTS:

Professor (Research)	Department of Psychiatry Stanford University School of Medicine (Adjunct 1995-1998; Assistant Research Professor 1998-2001; Associate 2001-2007)	2007-Present
Affiliate Faculty	Center for Health Policy Stanford University	2003-Present
Honorary Professor	Institute of Psychiatry at the Maudsley King's College, London, UK	2009-Present



Visiting Professor	School of Psychology and Sport Sciences Northumbria University Newcastle-upon-Tyne, UK	2005
Voluntary Clinical Faculty	Department of Psychology University of California at Berkeley	1998-2000
Research Associate	Department of Psychiatric Medicine Michigan State University	1987-1989

#### MEDICAL CENTER AND POLICY APPOINTMENTS:

Senior Research Career Scientist	Health Services Research & Development Service, Veterans Health Administration	2010-Present
Acting Director	Center for Health Care Evaluation Health Services Research & Development Service, Veterans Health Administration	2010-2011
Senior Policy Advisor	Office of National Drug Control Policy Executive Office of the President The White House	2009-2010
Research Career Scientist	Health Services Research & Development Service, Veterans Health Administration	2004-2009
Policy Fellow	Office of National Drug Control Policy Executive Office of the President	2002
Director	Program Evaluation and Resource Center Department of Veterans Affairs (Associate Director, 1999-2001)	2001-2009
Research Psychologist	Center for Health Care Evaluation VA Palo Alto Health Care System	1993-2003

#### HONORS:

British Medical Association, Best Public Health Book of the Year (co-author)	2010
Distinguished Contribution to Psychology in the Public Interest, APA	2009
Outstanding VA Researcher Award, APA Division 18 (Public Service)	2009
Presidential Citation for Distinguished Service to APA Division 50 (Addictions)	2005
Best Submitted Paper, National VA HSR&D Conference	2005
Distinguished Scientific Early Career Contribution to Addiction Research, APA	2003
Fellow, American Psychological Association (Divisions 27 and 50)	2001
Fellow, Society for Community Research and Action	2000
Veterans Affairs Health Care System Young Investigator Award	1998-1999
Rotterdam Addiction Research Institute Young Investigator Award	1996
American Psychological Association Dissertation Research Award	1993
Scheiderer Award for Outstanding Graduate Research	1992
University of Illinois Graduate Student Fellowships	1989 & 1991

Phi Beta Kappa, Mortar Board National Honor Society, National Merit Scholar 1984-1988

LICENSURE:

Licensed Clinical Psychologist State of California (PSY14906) 1996-Present

SECURITY CLEARANCE:

Underwent FBI Full Field and Secret Service Background Investigations 2002 & 2009

PROFESSIONAL SERVICE:

*Grant Proposal Review Committees*

Standing Committee Member	Study section AA-2, health services research NIAAA, U.S. National Institutes of Health	2002-2006
	Scientific Conference Proposal Review Committee American Psychological Association	2002-2004
Center Grant Reviewer	Collaborative Minority Serving Institution Program NIAAA, U.S. National Institutes of Health	2003
	National Alcohol Research Centers Program NIAAA, U.S. National Institutes of Health	2002
	National Alcohol Research Centers Program Site visit and overall committee, NIAAA U.S. National Institutes of Health	2000
	Health Promotion Center Program, Medical Research Council, Republic of South Africa	1999
Special Emphasis Panel Member	RFA on Alcohol and Spirituality, NIAAA U.S. National Institutes of Health	2000
	RFA on: Youth Violence Intervention, U.S. NIH Office of Behavioral and Social Science Research	2000
Ad-Hoc proposal reviewer	UK Medical Research Council, NIDA Clinical Trials Network, Templeton Foundation, Campbell Social Welfare Collaborative (Copenhagen), Council for Working Life and Social Research (Stockholm) NIAAA BSTART Grant program, Health Research Board Of Ireland, VA New Clinical Initiatives Program, Ontario Mental Health Foundation, Addiction Research Foundation (Toronto), Social Science and Humanities Research Council of Canada	1996-Present

*Other National Committees*

Member	National Advisory Board, Recovery Research Institute Harvard Medical School and Mass General Hospital	2012-Present
Member, Appointed by Director of NIDA	Adoption of NIDA Treatments Work Group	2011-2012
Member, Appointed by UK Minister for Government Policy	National Expert Group Payment by Outcomes System for Drug Recovery UK Cabinet Office	2010-Present
Member	Expert Group on Medications and Addiction Recovery UK National Treatment Agency	2010-2012
Member	Workgroup on Addiction Treatment Advisory Council on the Misuse of Drugs UK Home Office	2010-2011
Member, Appointed by Director, White House ONAP	Overarching Committee, President Obama' s National Strategy for HIV/AIDS	2010
Member, Appointed by U.S. DHHS Secretary	National Advisory Council, Substance Abuse and Mental Health Services Administration	2007-2009
Member, Appointed by President of the United States	White House Advisory Commission on Drug-Free Communities	2006-2007
Member, Appointed by VA Undersecretary for Health	Committee on Care of Veterans with Serious Mental Illness	2005-2008
Member, Appointed by U.S. Veterans Affairs Secretary	Mental Health Task Force Department of Veterans Affairs	2006-2007
Elected Member	Board of the International Society for the Study of Drug Policy	2007-2009
Member	International Advisory Committee SMART Recovery	2005-2009
Member	Scientific Advisory Board, Alcohol Research Group NIAAA National Alcohol Research Center	2004-2009
Member	Sarason Award Committee, American Psychological Assn and Society for Community Research & Action	2004-2007
Elected Member	Board of Professional Affairs American Psychological Association	2004-2006

Member, Appointed by SAMHSA Administrator	Substance Abuse Treatment and Prevention Consultation Group, Office of the Administrator	2003-2006
Member	Advisory Committee, Peer-to-Peer Resource Center Depression and Bipolar Support Alliance	2004
Chairman, Substance use disorder committee	National Mental Health Strategic Plan Workgroup Veterans Health Administration	2003-2004
Member	Washington Circle on Behavioral Health Performance Measures, CSAT	2003-2009
Member	National Advisory Committee, QUERI Substance Abuse Module, Department of Veterans Affairs	2002-2009
Co-Chairman	SAMHSA/VA Workgroup on self-help groups, addictions and public policy	2001-2004
Elected Member-at-Large	Executive Council of Division 50, American Psychological Association	2001-2003
Member	Research Advisory Board, OJJDP U.S. Department of Justice	2001-2004
Member	<u>Psychology of Addictive Behaviors</u> committee to Make PAB an APA journal (Chairman), committees To select editor (2003 and 2007)	2003-2007
Member	Addiction Practice Research Network Development Work Group, American Psychological Association	2001
Participant	Portfolio Review Committee, Treatment Branch, NIAAA, U.S. National Institutes of Health	1999
Member	Expert Panel on Mental Illness and Self-help Center for Mental Health Services, SAMHSA	1996
Member	Task Force on Self-help groups, Joint Commission For the Development of the Treatment Statistical Manual of Behavioral and Mental Disorders	1996

*Editorial/Review Activities*

Editorial Advisor/Senior Editor	<u>Addiction</u>	2010-Present
Series Editor	<u>Addiction</u> (Treatment Horizons Series)	2003-2006
Editorial Board Member	<u>Addiction</u>	2002-2009
	<u>Addiction Research and Theory</u>	2003-2009
	<u>Alcohol Research and Health</u>	2003-2007
	<u>Journal of Community Psychology</u>	2004-2009

	<u>Journal of Studies on Alcohol</u>	2001-2009 and 2010-Present
	<u>Journal of Substance Abuse Treatment</u>	2002-2009
	<u>International Journal of Self-Help and Self-Care</u>	2001-2009 and 2010
	<u>Psychology of Addictive Behaviors</u>	2005-2008
	<u>Journal for Specialists in Group Work</u>	1996-1999
Book Review Editor	<u>The Community Psychologist</u>	2000-2003
Associate Editor/Co-Founder	<u>International Journal of Self-Help and Self-Care</u>	1998-2000
Ad-Hoc Article Reviewer	<u>Acta Psychiatrica Scandanavia, Alcoholism: Clin and Exper Research, American Journal Community Psychology, American Journal of Psychiatry, Archives of General Psychiatry, Behavior Therapy, BMJ, Clinical Psychology Rev, Cochrane Collaboration, Cognition and Emotion, Contemporary Drug Probs, Developmental Psychology, Drug and Alcohol Depend, Eval and Prog Planning, Evaluat Rev, Exper and Clin Psychopharmacol, Hlth Affairs, Health Educ and Behavior, Health Services Research, International Research Monographs on Addiction, J Affective Disorders, J Anthropological Research, J Applied Soc Psychology, J Behavioral Health Services and Res, J Consulting and Clinical Psychology, J Drug Policy Analysis, J Groups in Addict and Recovery, J Gen Intern Med, J Marriage and the Family, J Mental Health, J Muslim Mental Health, J Nerv and Ment Disease, J Psychiatric Res, J of Social and Pers Relationships, J Substance Abuse, Lancet, Medical Care, Pers and Social Psychology Bulletin, Prevention in Human Services, Professional Psychol, Psychiatric Serv, Psychological Services, Pub Health Rep, Soc Science and Med, Social Serv Rev, Substance Abuse, Topics in Family Psychology and Counseling</u>	1992-Present

*Other Professional/Community Service*

Advisor	Governor' s Council on Alcoholism and Drug Abuse State of New Jersey	2012-Present
Moderator	Betty Ford Institute State of the Art Conference on Recovery Support Services, Palm Springs, CA	2012
Member	Provost' s Committee on Alcohol on Campus Stanford University	2011-Present

Expert-of-the-Month	SAMSHA Recovery Month Program Rockville, MD	2011
Member	Scientific Committee, 30 <sup>th</sup> International Congress on Psychology, Capetown, South Africa	2011
Member	Appointments and Promotions Committee Department of Psychiatry, Stanford University	2010-Present
Executive Council	Betty Ford Institute Betty Ford Center, Palm Springs, California	2010-Present
Volunteer Consultant	Iraq Ministry of Health Design and reconstruction of mental health system	2004-Present
Research Advisor	Office of Faith-Based and Community Initiatives The White House	2003-2008
Honorary Life Member	Psychiatry Journal Club, Ibn Rushd Hospital, Baghdad	2008-Present
Chairman	Faculty Advisory Council, Health Policy Forum Stanford University School of Medicine	2007-Present
Planning Committee Member	National Mental Health Conference Veterans Health Administration, Washington, DC	2007 & 2008
Delegate	U.S.-Mexico Drug Policy Meeting Represented Office of VA Undersecretary for Health	2004
Consultant	Office of Demand Reduction, White House Office of National Drug Control Policy	2001-2003
Consultant	Office of Governor Gray Davis/State of California Youth Correctional System	2001-2002
Member	Research and Development Committee VA Palo Alto Health Care System	2000-2004
Nominations Committee	American Psychological Association Division 27	1996-2002
Volunteer Counselor	Mid-Peninsula Hospice Program, Mt. View, California	1995-2003
Chairman	SCRA Self-Help Interest Group	1993-1997
TEACHING:		
Instructor/Coordinator	Addiction Psychiatry (12 week course, once/year) Residency Program in Psychiatry and Behavioral Sciences, Stanford University School of Medicine	2001-Present

Instructor	Program Evaluation (12 week course, once/year) Graduate psychology course in PGSP/Stanford Doctor of Psychology program	2004-2008
Chairman/Member	Dissertations committees of doctoral students in counseling psychology studying health-related topics, School of Education, Stanford University	2000-Present
Guest Lecturer	Lecture regularly on addiction, self-help groups, and health care policy in VA Palo Alto, Stanford and UC-Berkeley courses on pathophysiology, clinical psychology, psychiatric medicine etc.	1996-Present
Preceptor	Health Services Research Postdoctoral Program Veterans Affairs HSR&D/Stanford University	1995-2009
Instructor	Short course: Treatment, prevention and legal Policy in the drug and alcohol field West Kent Social Care Trust, Maidstone, UK	2006
Developer	Course materials on alcohol self-help groups for NIAAA/NIH course for medical students	2005
Instructor	Short course: Cure and Care for Alcohol Problems Nordic School of Public Health, Gothenberg, Sweden	2004
Head Supervisor	Health Services Research Rotation, Clinical Psychology Internship Program, VAPAHCS	1998-2003
Supervisor	Community Psychology Intervention Practicum Dept. of Psychology, University of California-Berkeley	1998-2000
Instructor	Mental Health Risk in Communities and Individuals Johns Hopkins University School of Public Health, Institut de Salut Publica, Barcelona, Spain	2000
Instructor	Course: Clinical Psychology Department of Psychology, University of Illinois	1993

#### ACTIVE PEER-REVIEWED SCIENTIFIC GRANTS:

Principal Investigator, "Towards an Unbiased Estimate of the Effectiveness of Alcoholics Anonymous". National Institute of Alcohol Abuse and Alcoholism, Direct Cost \$260,000, 8/15/12-8/31/14.

*This project uses instrumental variables modeling to produce a selection-bias free estimate of the impact of Alcoholics Anonymous. The source data are from previously conducted randomized clinical trials in which encouragement to attend Alcoholics Anonymous was randomly assigned.*

Principal Investigator, "Enhancing the Value of VA's new Uniform Package of Services for Substance Use Disorders". Department of Veterans Affairs, Health Services Research and Development Service, HX-12-001. Direct Cost \$3,100,000, 10/2012-9/17.

*This is an interconnected suite of 4 grants which employ a range of research methods to study quality-improving innovations in the care of substance use disorder patients. The individual grants address improving health care quality metrics, managing national funding and policy, improving the care alcohol misusing Hepatitis C patients and facilitating the transition from detoxification to ongoing clinical care for addiction.*

Principal Investigator, "Senior Research Career Scientist Award". Department of Veterans Affairs Health Services Research and Development Service, RCS 04-141-2, 10/2010-9/2017. Direct cost: \$1,500,000.

*This grant covers salary support and benefits for Dr. Humphreys to pursue health services research projects. Dr. Humphreys is one of five health services researchers in the VA to hold a senior career award, which runs for 7 years and is renewable.*

Principal Investigator, "Screening and Brief Intervention in General Medical Practice". Michael Alan Rosen Foundation, 11/2012-8/2013. Direct cost: \$56,200.

*This project designs and provides education to health care professionals regarding Screening, brief intervention and referral to treatment (SBIRT). General practitioner physicians, specialist physicians, nurses and social workers are being trained, with a particular focus on how they can respond to problematic alcohol and pharmaceutical medication use in their patients.*

Co-Investigator, "Ultra-brief intervention for problem drinkers", (PI: John Cunningham), National Institute of Alcohol Abuse and Alcoholism, NIH, R01 AA015680, Direct cost: \$1,089,300, 9/08-8/13.

*This project is evaluating interventions for problem drinkers unwilling to seek traditional alcohol treatment. The interventions are intended for population impact by being low-cost and easily scalable.*

Co-Investigator, "Meta-Analysis of Alcoholism Treatment Outcome Research" (PI: John Finney), National Institute of Alcohol Abuse and Alcoholism, NIH, R01AA008689-08A1, Direct cost \$546,250, 8/2009-4/2013.

*This project's primary aim is to determine the relative efficacy/effectiveness of psychosocial and pharmacological alcohol treatments, treatment settings, and continuing care via multiple research syntheses. Secondary aims are to: (a) describe the nature and the methodology of recent alcohol treatment studies; (b) investigate the use of eligibility criteria in alcohol treatment trials and their impact on the generalizability of findings; and (c) review studies of the implementation of evidence-based substance use disorder treatments.*

Mentor, "Prescription Opioid Use, Misuse and Pain in Post-Surgical Patients", K23 Patient-oriented career development award for Ian Carroll, MD, National Institute on Drug Abuse (NIH), 9/08-9/13, Direct cost \$826,000.

*Dr. Carroll is examining iatrogenic opioid dependence and pain continuation in surgical patients. His faculty mentors are Professor Sean Mackey, M.D., Ph.D., and Dr. Humphreys.*



SELECTED OTHER GRANTS COMPLETED AS PRINCIPAL INVESTIGATOR:

Principal Investigator, " Center for Health Care Evaluation", Department of Veterans Affairs, Veterans Affairs Health Services Research and Development Service, 8/2010-8/2011. Direct cost: \$1,050,000.

Co-Principal Investigator (w/Alex Sox-Harris) " Process quality measures of addiction care: Validation and Refinement", IIR 07-092-01, Department of Veterans Affairs Health Services Research and Development Service, 10/07-10/09, Direct Cost \$246,000.

Principal Investigator, " Reducing or expanding substance use disorder treatment programs: Evaluating impact from the health care decision-makers' perspective", Robert Wood Johnson Foundation, Substance Abuse Policy Research Program, 9/05-7/09.

Principal Investigator, " Program Evaluation and Resource Center", Department of Veterans Affairs, Office of Mental Health Services, 10/01-5/09, Direct Cost: \$10,800,000.

Principal Investigator, " Research Career Scientist Award". RCS 04-141-1, Department of Veterans Affairs Health Services Research and Development Service. 7/04-7/09, Direct cost: \$750,000.

Principal Investigator, " The epidemiology of problematic substance use behavior in the veteran population". Department of Veterans Affairs Epidemiology Research and Information Center. 1/1/05-12/30/05.

Principal Investigator, " Exclusion criteria in alcohol services research". R-01 AA 13315, National Institute on Alcohol Abuse and Alcoholism (NIH). 9/01-5/04.

Principal Investigator, " Clinical practices and outcomes in VA methadone maintenance programs", Veterans Affairs Quality Improvement Research Initiative, 7/00-10/03, Direct Cost \$669,000.

Principal Investigator, "Access to a self-help organization for problem drinkers", National Institute on Alcohol Abuse and Alcoholism (NIH), grant AA11700, 8/97-8/00.

Principal Investigator, "Outcomes and cost offset of Alcoholics Anonymous", National Institute on Alcohol Abuse and Alcoholism (NIH), grant AA10652, 3/95-8/96.

Principal Investigator, " Expanding participation in self-help groups to enhance health and well-being in two major urban centers", The California Wellness Foundation, 7/00-7/02.

Principal Investigator, " Enhancing participation in and health outcomes of self-help groups", The California Endowment and The California Wellness Foundation, 7/98-12/98.

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PAPERS UNDER REVIEW:

- Humphreys, K., & Lembke, A. (2012). Recovery oriented care and policy in the US and UK. Drug and Alcohol Review.

Humphreys, K., Maisel, N.C., Blodgett, J.C., Fuh, I.L., & Finney, J.W. (2012). Do influential clinical trials enroll participants who resemble real-world patients? A cross-disease comparison. Archives of Internal Medicine.

Betty Ford Consensus Conference (15 authors, Humphreys, K. in senior author group). (2012). The status and future of addiction recovery support services in the United States. Journal of Substance Abuse Treatment.

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#### WRITING/DISSEMINATION FOR A POPULAR AUDIENCE:

Have published in New York Times, Wall Street Journal, Washington Post, Newsweek, The Guardian (UK), San Francisco Chronicle, San Jose Mercury News, American Prospect, Washington Monthly, Crossbow (UK) and other mass media outlets.

Research covered/Policy analyses quoted by others in New York Times, USA Today, Washington Post, CNN, Christian Science Monitor, Boston Globe, U.S. News and World Report, Wall Street Journal, Weekly Standard, USA Today, BBC World, ABC News, L.A. Times, San Francisco Chronicle, San Jose Mercury News, New Republic, C-SPAN, NPR and other mass media outlets.

#### BOOKS:

Drugs and Public Policy Group (12 authors total; Humphreys, K. was in senior author group). (2010). Drug policy and the public good. London: Oxford University Press. *Winner, British Medical Association Prize for Best Public Health Book of 2010.*

Marshall, J., Humphreys, K., & Ball, D. (2010). The treatment of drinking problems (5<sup>th</sup> edition). Cambridge, UK: Cambridge University Press.

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- Lembke, A., & Humphreys, K. (2012). What self-help organizations tell us about the syndrome model of addiction. In H. J. Shaffer (Ed.), A psychological view of addictions (pp. 157-168). Washington, D.C.: American Psychological Association.
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Kennedy, M., Humphreys, K., & Borkman, T. (1994). The naturalistic paradigm as an approach to research with mutual help groups. In T. J. Powell (Ed.), Understanding the Self-help Organization: Frameworks and Findings (pp. 172-189). Newbury Park, CA: Sage.

#### TECHNICAL REPORTS:

National Advisory Council on Drug Abuse Workgroup (Keith Humphreys was one of 8 members). (2012). Adoption of NIDA' s evidence-based treatments in real-world settings. Bethesda, MD: National Institutes of Health.

Humphreys, K., & McLellan, A. T. (2010). Improving the outcomes of substance use disorder treatment: A policy-oriented review of options for the United Kingdom and the United States. Submitted as evidence in November 3, 2010 to expert group of UK Advisory Committee on the Misuse of Drugs, The Home Office, London.

Tracy, S., Trafton, J., & Humphreys, K. (2004). The Department of Veterans Affairs Substance Abuse Treatment System: Results of the 2003 Drug and Alcohol Program Survey. Palo Alto, CA: Department of Veterans Affairs Program Evaluation and Resource Center.

McKellar, J. D., Lie, C., & Humphreys, K. (2003). Health services for VA substance use disorder patients: Comparison of utilization in fiscal years 2002, 2001, and 1998. Palo Alto, CA: VA Program Evaluation and Resource Center.

Humphreys, K., & Horst, D. (2001). The Department of Veterans Affairs Substance Abuse Treatment System: Results of the 2000 Drug and Alcohol Program Survey. Palo Alto, CA: Department of Veterans Affairs Program Evaluation and Resource Center.

Steiner, H., Humphreys, K., Redlich, A., Silverman, M., Campanaro, S., & Kelly, J. (2001). The assessment of the mental health system of the California Youth Authority: Report to Governor Gray Davis. Stanford, CA: Stanford University School of Medicine.

Humphreys, K. (1999). Self-help groups and self-help influenced professional treatment for alcohol problems. Invited report prepared for NIAAA Treatment Research Branch Portfolio Review.

- Humphreys, K., & Klaw, E. (1999). Expanding the self-help group movement to improve community health and well-being. Briefing paper prepared for The California Endowment and The California Wellness Foundation.
- Humphreys, K., Dearmin Huebsch P., & Moos, R. H. (1998). The Department of Veterans Affairs substance abuse treatment system: Settings, services, staffing and management policies. Palo Alto, CA: Program Evaluation and Resource Center.
- Hamilton, E. G., & Humphreys, K. (1996). Outpatient methadone services in the Department of Veterans Affairs: Summary of clinic survey findings. Palo Alto, CA: Program Evaluation and Resource Center.
- Humphreys, K., Hamilton, E. G., & Moos, R. H. (1996). Substance abuse treatment in the Department of Veterans Affairs: System Structure, Patients, and Treatment Activities. Palo Alto, CA: Program Evaluation and Resource Center.
- Humphreys, K., Mavis, B. E., & Stöffelmayr, B. E. (1992, July). Substance abuse treatment agencies and self-help groups: Collaborators or competitors? Resources in Education. ERIC Document #341 927: University of Michigan, Ann Arbor.

#### BOOK REVIEWS:

- Humphreys, K. (2010). Review of Research in Alcoholics Anonymous and spirituality in addiction recovery. Volume 18 of Recent Developments in Alcoholism. Addiction, 105, 179-180.
- Humphreys, K. (2007). Review of Alcohol, addiction and Christian ethics. Addiction, 102, 1989-1990.
- Humphreys, K. (2006). Is addiction' s collateral damage culturally invariant? A review of Coping with alcohol and drug problems: The experiences of family members in three contrasting cultures by J. Orford et al. Addiction Research and Theory, 14, 647-648.
- Humphreys, K. (2005). Review of Hideous absinthe: a history of the devil in a bottle. Addiction, 100, 564-567.
- Humphreys, K. (2004). Classic texts revisited: A review of Thomas de Quincey' s Confessions of an English Opium Eater. Addiction, 99, 1221-1222.
- Humphreys, K. (1999). Up you mighty race!: Four perspectives on a pioneer of African-American self-help. Community Psychologist, 32, 51-54.
- Humphreys, K. (1994). Review of Research on Alcoholics Anonymous: Opportunities and Alternatives by B. McCrady and W. R. Miller (Eds.). Journal of Community and Applied Social Psychology, 4, 216-217.
- Humphreys, K. (1993). Review of The Spirituality of Imperfection by E. Kurtz and K. Ketcham. Community Psychologist, 27, 23-24.

Lee, S., Cappella, E., & Humphreys, K. (2000). Review of Common Purpose: Strengthening families and neighborhoods to rebuild America by Lisbeth Schorr. Community Psychologist, 33, 19-20.

Salzer, M. S., & Humphreys, K. (1991). Review of Epidemiology and the Prevention of Mental Disorders, by B. Cooper and T. Helgason (Eds.). Community Psychologist, 25, 14 & 46.

#### SELECTED SCIENCE BRIEFINGS FOR PUBLIC POLICY AUDIENCES:

Humphreys, K. (2012, March). Launching a new approach to alcohol-involved violence in London. London: Mayor's Office for Policing and Crime.

Humphreys, K. (2012, March). The evidence base for mandatory sobriety. House of Lords, London.

Humphreys, K. (2012, January). Managing alcohol-involved offenders in England. House of Lords, London.

Humphreys, K. (2011, September). Responding to alcohol-related violence in Wales. Briefing for Welsh National Assembly Members and Senior Health Officials, Cardiff, Wales.

Humphreys, K. (2011, July). A therapeutic jurisprudence approach to alcohol-related violence in the UK. Invited briefing for peers, House of Lords, London.

Humphreys, K. (2011, May). A new approach for responding to alcohol and family violence. Invited presentation with Deputy Mayor Malthouse at the Metropolitan Police Authority, London.

Humphreys, K. (2011, May). Improving the outcomes of treatment. Opening plenary panel with Lord Mancroft, UKESAD Conference, London.

Humphreys, K. (2011, May). Payment-by-results and the maximization of drug treatment effectiveness. All Party Group on Drugs Misuse, House of Commons, Parliament, London, UK.

Humphreys, K. (2011, April). Can we help Mexico by lowering U.S. drug consumption? Briefing for North American Forum planning group (Co-chairs Secretary Perry and Secretary Schultz). Hoover Center, Stanford, CA.

Humphreys, K. (2011, March). Responding to substance use disorders in the U.S. armed forces: Policy and clinical resources. Invited testimony to the Institute of Medicine, Washington, D.C.

Bernard, R., Humphreys, K., & Bohman, G. (2011, March). Medical marijuana: Perspectives and considerations in clinical practice. Webinar presented by Stanford Hospital Risk Management Service.

- Humphreys, K. (2011, February). A new paradigm for addressing substance-involved offenders. London Drug and Alcohol Policy Forum, London, UK.
- Humphreys, K. (2011, January). Responding to the West Virginia' s drug abuse epidemic. Testimony to the House of Delegates committee on Health and Human Resources (1/26), the Senate committee on Health (1/27), and briefing for Governor Tomblin (1/27).
- Humphreys, K. (2010, October). Therapeutic jurisprudence with drug and alcohol-involved criminal offenders. Briefing for Prime Minister' s Strategy Unit, London.
- Humphreys, K. (2010, September). Conducting a trial of 24/7 sobriety in London. Briefing for Kit Malthouse, Deputy Mayor for Policing, London.
- Humphreys, K. (2010, September). Project HOPE as a model for drug-involved offenders. Briefing for James Brokenshire, MP, UK Undersecretary for Crime Reduction.
- Humphreys, K. (2010, September). Circles of Recovery: What science tell us about self-help groups for addiction. Presentation to UK Advisory Council on the Misuse of Drugs, Home Office.
- Humphreys, K. (2010, May). Bridges to the next Government. Panel with David Burrowes, MP and Baroness Doreen Massey, UKESAD, London.
- Humphreys, K. (2010, May). The U.S. approach to promoting recovery from addiction. Presentation to the All-Party Parliamentary Group on Drugs Misuse. London, UK.
- Humphreys, K. (2010, April). The drug strategy and public health. Presentation to the National Advisory Council, Center for Substance Abuse Treatment, Rockville, MD.
- Humphreys, K. (2010, March). The Obama drug strategy: A preview. Briefing for David Davies, MP and the Center for Policy Studies, London, UK.
- Humphreys, K. (2010, January). Promoting quality in addiction treatment. Remarks to the Cross Party Parliament Group on Addiction Treatment and Harm Reduction, London, UK.
- Humphreys, K. (2009, November). Lessons from the VA experience about how the federal Government can improve the treatment of substance use disorders. Briefing for the Office of the Vice-President of the United States, The White House.
- Humphreys, K. (2009, March). Building evidence-based heroin addiction treatment systems that Promote public health and public safety. Briefing for Tory Shadow cabinet and backbench members of Parliament, Portcullis House, London, UK.
- Humphreys, K. (2006, February). The epidemiology of substance use among veterans. Briefing for the White House Office of National Drug Control Policy, Executive Office of the President, Washington, DC.
- Suchinsky, R. S., Humphreys, K., & Markie, P. (2004, December). Drug control programs in the Department of Veterans Affairs. Briefing for Subcommittee on Criminal Justice, Drug Policy and Human Resources, Government Reform Committee, U.S. House of Representatives (Chair, Rep. Mark Souder).

- Humphreys, K. (2004, June). Research on the outcomes of faith-based organizations. Chair of panel at First National White House Conference on Faith-Based and Community Initiatives, Washington.
- Humphreys, K., Gifford, E., & Waldroup, W. (2003, December). Scientific evidence relevant to the Access to Recovery Initiative. Briefing for the White House Office on Faith-Based and Community Initiatives.
- Suchinsky, R. S., & Humphreys, K. (2003, March). Substance abuse treatment in the Veterans Health Administration: Trends in access, quality and funding. Briefing for staff of U.S. Senator Joseph Biden.
- Humphreys, K. (2003, January). Clinical and cost-effectiveness of self-help groups for addictive and psychiatric disorders. Briefing for the Committee on the Care of Seriously Mentally Ill Veterans (U.S. Senate Chartered committee), Washington, DC.
- Humphreys, K. (2001, February). Addiction self-help organizations: Research findings and policy options. Presentation to The White House Office of National Drug Control Policy, Executive Office of the President, Washington, DC.

#### SELECTED INVITED PRESENTATIONS TO SCIENTIFIC SOCIETIES AND INSTITUTES:

- Humphreys, K. (2012, December). Why many mental health treatment outcome studies are useless for public sector practice. Department of Mental Health, Bloomberg School of Public Health, Johns Hopkins University.
- Humphreys, K. (2012, November). Recovery as an Intervention and as a Movement. Opening plenary address at the 2<sup>nd</sup> National Conference on Recovery from Addiction. Liverpool, UK.
- Humphreys, K. (2012, September). Responding Effectively to Alcohol Problems in Developing Countries. Invited seminar, Human Science Research Council, Durban, South Africa.
- Humphreys, K. (2012, September). Interventions for Patients with Alcohol and Drug Use Disorders. State of the Art Course, California Society of Addiction Medicine, San Francisco.
- Humphreys, K. (2012, July). Choose your drug problem. Closing plenary at Conference on Drugs and Organised Crime. Chatham House, London, UK.
- Humphreys, K. (2012, June). Broom at the top? Using psychology to shape public policy. Conference on Clinical-Community Psychology, University College London.
- Humphreys, K. (2012, June). The evidence base on 12-step facilitation and other recovery-oriented interventions. Conference on Twelve-Step Facilitation, National Treatment Agency, Birmingham, UK.
- Humphreys, K. (2012, May). Motivation from without. New Directions in the Study of Alcohol Group, Llandidrod Wells, Wales, UK.

- Humphreys, K. (2012, May). The evidence for 12-step self-help groups and treatments. UKESAD Conference, London, United Kingdom.
- Humphreys, K. (2012, May). Peer support and recovery from addiction. UK Royal College of Psychiatry Annual Meeting, Cardiff, Wales.
- Humphreys, K. (2012, April). The SAMHSA-MOH partnership in Iraq. Presentation at the Iraq/State Department/HHS drug demand reduction planning meeting, Beirut, Lebanon.
- Humphreys, K. (2012, March). The role of treatment in long-term recovery. DISC Conference, Leeds, UK.
- Humphreys, K. (2012, March). Addiction and Recovery: A Transatlantic perspective. Plenary speaker, Action on Addiction Annual Symposium, Wellcome Trust, London, UK.
- Humphreys, K. (2012, February). Public policy on prescription opioids: Are we trapped between Scylla and Charybdis? Invited Plenary, American Academy of Pain Medicine, Rancho Mirage, CA.
- Humphreys, K. (2012, January). Patients vs subjects in treatment research. The Michael M. Davis Seminar, University of Chicago, Chicago, IL.
- Humphreys, K. (2012, January). How unrepresentative samples reduce the generalizability of treatment outcome research. Grand Rounds, Department of Psychiatry, University of Arkansas Medical School, Little Rock, Arkansas.
- Humphreys, K. (2011, December). How can we improve public policies that affect people who have addictive and psychiatric disorders? Psychiatry Grand Rounds, Stanford University School of Medicine.
- Humphreys, K. (2011, September). Peer power and recovery from addiction. Invited plenary presentation, European Federation of Therapeutic Communities, Oxford, UK.
- Humphreys, K. (2011, September). Reflections on the U.S. Recovery Movement. Opening address, UKRF Conference on Recovery, Cardiff, Wales, UK.
- Humphreys, K. (2011, May). Policies for improving the outcomes of substance use disorder treatment. UKESAD Conference, London, UK.
- Humphreys, K. (2011, May). Will the Obama Administration adopt a more health-oriented response to drugs? Invited presentation at the conference on Rethinking the War on Drugs through the US-Mexico Prism, Yale University, New Haven, CT.
- Humphreys, K. (2011, March). Responding to substance use disorders in the armed forces. Invited Presentation to the Institute of Medicine, Washington, D.C.
- Humphreys, K. (2010, October). Managing substance use disorders in primary care: Lessons from developed and developing countries. World Congress of Social Psychiatry, Marrakech, Morocco.
- Humphreys, K. (2010, August). Recovery from addiction: A science and policy update. Inservice at Betty Ford Center, Palm Springs, CA.

- Humphreys, K. (2010, August). Substance use disorders and veterans: What can we do to help? Presentation to the Vietnam Veterans of America Leadership Conference, Orlando, FL.
- Humphreys, K. (2010, May). Opiate agonist treatment and the national drug control strategy. Opening plenary at CSAT/NIDA Bupernorphine Summit, Washington.
- Humphreys, K. (2010, April). The role of screening and brief intervention in White House Policy. Panel chaired by Director Frieden at Centers for Disease Control.
- Humphreys, K. (2010, April). Policies for improving systems of care for substance use disorders. Plenary address, President to the OTOD Section Board, American Public Health Association.
- Humphreys, K. (2010, March). The future of performance promotion research. NIDA/SAMHSA meeting on addiction treatment performance measurement, Bethesda, MD.
- Humphreys, K. (2010, March). Policies for improving systems of care for substance use disorders. Plenary address, International Society for the Study of Drug Policy, Santa Monica, California.
- Humphreys, K. (2010, March). Clinical trial design and the problem of unrepresentative samples. Seminar at School of Health and Social Care, Oxford-Brookes University, Oxford, UK.
- Marshall, E. J., Ball, D., & Humphreys, K. (2010, January). What is new in the Treatment of Drinking Problems? Panel presentation at the Institute of Psychiatry at the Maudsley, London.
- Humphreys, K. (2009, December). The changing landscape of addiction treatment in the United States: an ONDCP perspective. Phoenix House Foundation State of the Field Meeting, New York City.
- Humphreys, K. (2009, November). How the Obama Administration will Promote and Celebrate Recovery from Addiction. Closing presentation, Grantee Conference of Recovery Community Support Program and Recovery-Oriented Systems of Care, Gaithersburg, MD.
- Humphreys, K. (2009, November). The future of international treatment policy. Society for the Study of Addiction, York, UK.
- Humphreys, K. (2009, November). The role of science in policy making. Association of Public Policy Analysis and Management, Washington, DC.
- Humphreys, K. (2009, October). Polices that promote effective systems of care for substance use. Closing plenary, Addiction Health Services Research conference, San Francisco.
- Humphreys, K. (2009, October). Using federal policy to advance care for addiction in developed and developing countries. Grand Rounds, Department of Psychiatry, Stanford University.
- Humphreys, K. (2009, October). Polices that promote effective systems of care for substance use disorder. Plenary address at International Council on Alcohol and Addictions, Estoril, Portugal.

- Humphreys, K. (2009, April). But patients like mine were excluded from that trial: A challenge to evidence-based addiction treatment. Keynote address, New Directions in Alcohol Study Group, Belfast, Northern Ireland.
- Humphreys, K. (2009, March). A professional perspective on mutual help organisations for addictions. Scotland Futures Forum, Scottish Parliament, Edinburgh.
- Humphreys, K. (2009, March). One flew over the is-ought gap: Why many academics underestimate the influence of science on U.S. drug policy. International Society for the Study of Drug Policy, Vienna.
- Humphreys, K. (2008, November). Why cost offset studies do not convince medical centers to expand treatment for substance use disorders. Society for the Scientific Study of Addiction, York, UK.
- Humphreys, K. (2008, November). But patients like mine were excluded from that trial: A challenge to evidence based addiction treatment. Postgraduate Psychiatry Rounds, Leicestershire Partnership, Leicester, UK.
- Humphreys, K. (2008, October). Addiction in Iraq. Colloquium at the Center on Addiction and Mental Health, Toronto.
- Humphreys, K. (2008, September). Responding to rising substance misuse in Iraq. Rounds at Maudsley Hospital, London.
- Humphreys, K. (2008, July). Expanding mental health services in a war-torn country. Colloquium at The Department of Human Services Psychology, University of Maryland-Baltimore County.
- Humphreys, K. (2008, May). The status of mental health services in Iraq. Presented at 3<sup>rd</sup> Iraq Health Forum, Institute of Medicine, Washington DC.
- Humphreys, K. (2008, April). Providing services for psychiatric disorders in correctional facilities. Presentation at CME Psychiatry Course, Irbil, Iraq.
- Humphreys, K. (2008, April). Is it in medical centers' economic self-interest to provide drug treatment?; A cost-consequence study from a national health care system. International Society for the Study of Drug Policy, Lisbon.
- Humphreys, K. (2007, November). Circles of Recovery: What does science tell us about self-help groups for addictions? Plenary address, 31<sup>st</sup> Annual National Conference of the Association for Medical Education and Research in Substance Abuse, Washington, DC.
- Humphreys, K. (2007, October). Culture, spirituality and mutual help for addiction. Keynote address at the conference on self-help groups for alcohol and drugs, Alessandria, Italy.
- Humphreys, K. (2007, October). Continuity of care guidelines for participation in mutual help organizations before, during and after addiction treatment. Invited presentation to the Betty Ford Institute Consensus Conference, Palm Springs, CA.
- Humphreys, K. (2007, June). Sisyphus in Mesopotamia: Rebuilding Iraq' s mental health and addiction care system. Grand Rounds, Department of Psychiatry, Stanford University.



- Humphreys, K. (2007, March). Exclusion criteria as a barrier to generalizability in alcohol treatment research. Invited colloquium, National Center for Health Research and Knowledge, Oslo.
- Humphreys, K. (2007, January). Towards empirically informed treatments for drug and alcohol dependence. Georgetown University/RAND Public Health Policy Series, Washington, DC.
- Humphreys, K. (2006, December). Is research promoting progress in the addiction treatment field? Institute of Psychiatry at the Maudsley and King' s College, London, UK.
- Humphreys, K. (2006, June). Recovery support services. Panel at the College of Problems in Drug Dependence. Scottsdale, AZ.
- Humphreys, K. (2006, March). Responding to drug problems in Iraq. Second national mental health action planning conference on Iraq, Cairo, Egypt.
- Humphreys, K. (2006, February). New developments in addiction treatment. Colloquium at Department of Psychology, University College, London, UK.
- Humphreys, K. (2006, February). Evidence-based medicine in the addiction treatment field: A tale of two studies. Invited seminar at Swedish National Center for Study of Drugs and Alcohol, Stockholm.
- Humphreys, K. (2005, December). Self-help organizations for addiction: Toward evidence-based practice and policy. Sixth Annual Conference on Gambling and Addiction, Las Vegas.
- Humphreys, K. (2005, November). Mediators and moderators of the effects of 12-step group participation. Keynote address, Australasian Society on Alcohol and Drugs, Melbourne.
- Humphreys, K. (2005, September). Recovery, spirituality and addiction. Keynote address, Society for Advancement for Sexual Health, San Francisco.
- Humphreys, K. (2005, September). Drug abuse and treatment in Iraq. International conference on drug treatment delivery systems, Istanbul, Turkey.
- Humphreys, K. (2005, July). Professional perspective on Alcoholics Anonymous. AA International Convention, Toronto.
- Humphreys, K. (2005, June). Disseminating science to policy makers. UNC Comprehensive Cancer Center conference on dissemination, Chapel Hill, NC.
- Humphreys, K. (2005, May). Circles of recovery. Special symposium with Charles Curie and James Haveman, West Kent NHS and Social Care Trust, Maidstone, UK.
- Humphreys, K. (2005, April). 12-step mutual support organizations for addictions. International Society for Addiction Medicine, Buenos Aires, Argentina.
- Humphreys, K. (2005, March). Creating a health care informatics systems for Iraq. Action planning conference for Iraq mental health, Amman, Jordan.
- Humphreys, K., Trafton, J., & Oliva, E. (2005, February). Does following clinical practice guidelines matter in the real world of heroin dependence treatment? Plenary presentation, Annual HSR&D Meeting, Washington, D.C.

- Humphreys, K. (2004, November). Addiction treatment research: What do we really know? Plenary talk at the ceremony commemorating the retirement of Griffith Edwards as editor of *Addiction*. Society for the Study of Addiction, York, UK.
- Humphreys, K. (2004, October). Dr. Smith goes to Washington: How psychological science informs Federal alcohol and drug policy. Colloquium at the Prevention Research Center, Berkeley, California.
- Humphreys, K., & Gifford, E. (2004, October). How can religious and mutual help organizations combat troublesome use of substances? Paper presented at Robert Wood Johnson Foundation/University of New Mexico CACTUS conference, Albuquerque, New Mexico.
- Humphreys, K. (2004, October). Twelve-step groups, spirituality, and recovery from addiction. Keynote address at the 1<sup>st</sup> Annual Scientific Conference on Addiction Medicine, White Plains, New York.
- Humphreys, K. (2004, June). Substance use self-help groups: Current knowledge and future directions. Opening address, self-help group research pre-conference, Research Society on Alcoholism, Vancouver, British Columbia.
- Humphreys, K. (2004, April). Storytelling in an alcohol self-help organizations. Conference on New Directions in Alcohol, Carnaerfon, Wales, UK.
- Humphreys, K. (2004, April). 12-step philosophy and its impact in the United States. National Addiction Centre, London, UK.
- Humphreys, K. (2004, March). Nature, effectiveness and mediators of mutual help groups for substance abuse. Colloquium at the Department of Psychology, George Washington University, Washington, DC.
- Humphreys, K. (2003, October). National outcome evaluations of substance abuse treatment systems: What do we know and what do we need to know? Plenary symposium, American Society of Addiction Medicine, Washington, DC.
- Humphreys, K. (2003, May). Do exclusion criteria reduce the generalizability of alcohol treatment research? Colloquium at the Canadian Addiction and Mental Health Institute, Toronto.
- Humphreys, K. (2003, February). Never swear back at a president: Guidelines for influencing the federal policy making process. Presentation to the San Francisco Bay Area Community Psychology Association, UCSF.
- Humphreys, K. (2002, November). Towards evidence-based practices and policies related to addiction self-help organizations. State Systems Development Conference, Washington DC.
- Humphreys, K. (2002, October). The future of alcohol treatment systems. Colloquium at the Centre for Social Research on Alcohol and Drugs. Stockholm, Sweden.
- Humphreys, K. (2002, October). Behavioral components of addiction. California Society of Addiction Medicine Conference, Newport Beach, California.
- Kelly, J.F. & Humphreys, K. N. (2002, October). Substance use disorders and juvenile justice. Institute presentation, American Association of Child & Adolescent Psychiatry Conference, San Francisco.

- Humphreys, K. (2002, March). Perceptions of time and the future among drug dependent individuals. Invited discussant, Conference on Choice, Behavioral Economics and Addiction. University of Alabama-Birmingham.
- Humphreys, K. (2001, June). Connecting addiction treatment science with addiction treatment policy. Colloquium at the Department of Psychology, University of California-Berkeley.
- Humphreys, K., Winzelberg, A., & Taylor, C. B. (2001, May). Ethical and legal aspects of electronically-mediated intervention. Plenary session address to the Academy of Eating Disorders, Vancouver, British Columbia.
- Humphreys, K. (2001, March). The role of voluntary associations in the de facto system of care for substance abuse disorders in the United States. Colloquium at the Institute for Behavioral Research, University of Georgia, Athens, GA.
- Humphreys, K. (2000, October). Many journeys, one road: Concepts of recovery across different self-help organizations. Presentation to Roundtable on Models and Measurement of the Recovery Process The Butler Research Center for Research at Hazelden, Center City, MN.
- Humphreys, K., Cunningham, J., & Lieberman, M. A. (2000, June). Practical lessons learned from three internet-based health services research projects. Presentation to the Annual Meeting of the Association of Health Services Research, Los Angeles, CA.
- Humphreys, K. (2000, April). Thrills! Spills! Mystery! Romance!: Strategies for maintaining passion, relevance and meaning in a psychological research career. Invited address to the Western Psychological Association, Portland, OR.
- Humphreys, K. (1999, November). Existing knowledge and potential future directions for alcohol self-help group research. Presented to the National Institute of Alcohol Abuse and Alcoholism, Treatment Research and Prevention Branch, Washington, D.C.
- Humphreys, K. (1999, June). Formal and informal interventions for alcohol problems: Extensity is more important than intensity. Plenary address to the Kettill Bruun Society, Montreal, Quebec.
- Humphreys, K. (1998, November). A psychological and personal perspective on hospice services. Presented at Seton Medical Center, Daly City, CA.
- Humphreys, K. (1998, September). Self-help groups, health care and health promotion. Presented at St John's Hospital, Santa Monica, CA.
- Humphreys, K. (1998, May). The effectiveness of addiction self-help organizations. Colloquium at the Addiction Research Foundation, Toronto.
- Humphreys, K. (1998, April). Mediators of change in Alcoholics Anonymous. Colloquium at the Department of Psychology, Wichita State University, Wichita, Kansas.
- Humphreys, K. (1998, February). An overview of self-help group research. Presentation to the National Network of Self-Help Clearinghouses, Los Angeles.
- Humphreys, K. (1998, February). What does the future hold for intervention psychology? Colloquium at the Department of Psychology, University of Maryland, Baltimore.

Humphreys, K. (1997, April). Towards a broader perspective on researching addiction-related self-help/mutual aid organizations. Award address at the Cities and Addiction conference, Addiction Research Institute, Rotterdam, The Netherlands.

Humphreys, K. (1993, March). Understanding African-American participation in mutual aid organizations. Presentation to National Institute of Mental Health research workshop, University of Michigan, Ann Arbor.

# CURRICULUM VITAE

(revised 2/01/13)

**JEROME H. JAFFE, M.D.**

## PERSONAL DATA

Address: 5217 Beavertail Court, Columbia, MD 21044-1443  
Phone: 410-730-1957 E-Mail: [jhjaffemd@verizon.net](mailto:jhjaffemd@verizon.net)

## EDUCATION AND TRAINING

<i>Institution</i>	<i>Degree/Year</i>	<i>Field</i>
Temple University, Philadelphia, PA	B.A. 1954	Psychology
Temple University, Philadelphia, PA	M.A. 1956	Experimental Psychology
Temple University School of Medicine, Philadelphia, PA	M.D. 1958	Medicine

### **Postdoctoral Training**

United States Public Health Service Hospital, Staten Island, NY, Rotating Internship, 1958-59  
United States Public Health Service Hospital, Lexington, KY, Resident in Psychiatry, 1959-60;  
Psychiatric Staff, Medical Officer, 1960-61  
Albert Einstein College of Medicine, Bronx, NY, Postdoctoral Fellow, Interdisciplinary Program, 1961-64  
Bronx Municipal Hospital Center, Resident in Psychiatry, 1962-64

**Current Medical Licensure:** Maryland

**Specialty Board Certification:** American Board of Psychiatry and Neurology (Psychiatry), with Added Qualifications in Addiction Psychiatry

## PROFESSIONAL EXPERIENCE

*Albert Einstein College of Medicine, Bronx, NY*  
Department of Pharmacology: Instructor, 1962-64; Assistant Professor, 1964-66  
Department of Psychiatry: Instructor, 1964-66  
*University of Chicago, Chicago, IL, Department of Psychiatry*  
Assistant Professor of Psychiatry, 1966-69  
Associate Professor of Psychiatry, 1969-73 (on leave of absence 6/71-7/73)  
*State of Illinois Department of Mental Health, Director, Illinois Drug Abuse Programs, 1967-July 1971*  
*Executive Office of the President, The White House, Washington, DC, 1971-73*  
Consultant to the President for Narcotics and Dangerous Drugs  
Director, Special Action Office for Drug Abuse Prevention  
*Columbia University College of Physicians and Surgeons, New York, NY, Dept. of Psychiatry*  
Professor of Psychiatry, 1973-79  
*New York State Psychiatric Institute, New York, NY*  
Chief, Division of Biological Psychiatry, 1973-79  
*Columbia-Presbyterian Medical Center, New York, NY, Attending Psychiatrist, 1973-80*  
*University of Connecticut School of Medicine, Farmington, CT, Dept. of Psychiatry*  
Professor of Psychiatry, 1979-84  
*Veterans Administration Medical Center, Newington, CT*  
Associate Chief of Staff for Education, 1979-84  
*Addiction Research Center, National Institute on Drug Abuse, Baltimore, MD*  
Director, 1984-89  
*National Institute on Drug Abuse, Rockville, MD*  
Acting Director 5/85-3/86; Senior Science Adviser, 1989-90

*Center for Substance Abuse Treatment (CSAT), Substance Abuse and Mental Health Services Administration (SAMHSA), (formerly Office for Treatment Improvement (OTI), Alcohol, Drug Abuse and Mental Health Administration (ADAMHA), Rockville, MD, 1990-1997*  
Director, Office of Evaluation, Scientific Analysis & Synthesis  
(retired from Federal government service 1997)

### **Professional Activities (current)**

Clinical Professor of Psychiatry, University of Maryland School of Medicine  
Adjunct Professor, Dept. of Mental Health, Johns Hopkins University Bloomberg School of Public Health  
Senior Scientist, Friends Research Institute, Baltimore, MD

### *Society Memberships*

American College of Neuropsychopharmacology (Fellow Emeritus); American Psychiatric Association (Distinguished Life Fellow); Maryland Psychiatric Society; American Academy of Addiction Psychiatry (Fellow); College on Problems of Drug Dependence (Fellow); Society for the Study of Addiction (UK) (Honorary Fellow); Royal College of Psychiatrists (UK) (Honorary Fellow)

### *Participation on Advisory Panels*

Served on numerous advisory panels. Currently a member of Baltimore Substance Abuse Services

*Consultations* - Provides ad hoc consultation to pharmaceutical manufacturers and government agencies

### **Editorial Activities**

#### ***Peer Review Activities***

*Addiction (Senior Editor), American Journal on Addictions*

#### ***Editorial Board Memberships***

*Addiction (Senior Editor)*

#### ***Ad Hoc Review of Proposals***

Yes - for academia, publishing, industry, foundations, government agencies

### **Honors and Awards (selected list)**

National Addiction Services Guild: Outstanding Service Award, 1974  
Temple University School of Medicine Centennial Year Distinguished Alumnus Award, 1985  
American Academy of Psychiatrists in Alcoholism & Addictions: Founders Award, 1988  
Gateway Foundation (Chicago, IL): Community Service Award, 1992  
Institute of Psychiatry, University of London: Okey Lecturer, 1993  
College on Problems of Drug Dependence: Nathan B. Eddy Memorial Award, 1994  
Society for the Study of Addiction (UK): Honorary Fellow, 1997  
American Methadone Treatment Association, 1998  
The Royal College of Psychiatrists (UK): Honorary Fellow, 1999  
American Society of Addiction Medicine, 2007  
AMERSA McGovern Award, 2008  
Friends Research Institute, Friends of Friends Award, 2008  
Maryland Society of Addiction Medicine Distinguished Service, 2009

**Publications:** on request

**Robert Jesse**  
**Selected History, Publications, and Presentations**

January 2013

**Education**

BES in computer science and electrical engineering, Johns Hopkins, 1981.

**Employment**

Independent consultant/contractor in software, operating systems and telecommunications, 1976 - 1990. Clients included the U.S. Army via Battelle, CIT Alcatel, and AT&T Bell Labs.

Software development director, business development vice president at Oracle Corporation, 1990 - 1995.

Convenor, president, chairman of the Council on Spiritual Practices, 1993 - present.

Research strategist, Johns Hopkins University School of Medicine, 2009 - present.

**Public Service Projects**

Convenor, amanuensis, and coordinator, "Principles for Practical Drug Policies," a consensus statement of 34 leading policy experts. 1997. See "Group Calls for Moderation and Pragmatism," *New York Times*, 1 Sept. 1997.

**Legal/Policy Writings**

Council on Spiritual Practices (R. Jesse, Chairman), C.A.P. Ruck, H. Smith, K. Smith, R. Walsh. 2005. Amici Curiae brief for the Supreme Court of the United States, in *Gonzales v. UDV*, No. 04-1084.

Jesse, R. 1995. Testimony of the Council on Spiritual Practices. Association of the Bar of the City of New York, 10 October, New York.

**Scientific Papers**

Griffiths RR, MW Johnson, U McCann, WA Richards, BD Richards, R Jesse. 2011. Psilocybin occasioned mystical-type experiences: immediate and persisting dose-related effects. *Psychopharmacology*, 15 June.

Griffiths RR, WA Richards, MW Johnson, UD McCann, R Jesse. 2008. Mystical-type experiences occasioned by psilocybin mediate the attribution of personal meaning and spiritual significance 14 months later. *Journal of Psychopharmacology*, 22(6), 621-32.

Griffiths RR, WA Richards, U McCann, R Jesse. 2006. Psilocybin can occasion mystical-type experiences having substantial and sustained personal meaning and spiritual significance. *Psychopharmacology*, 187(3), 268-83.

### Book Chapters

Jesse, R. 2002. A survey of the entheogens. In *Zig Zag Zen*, ed. A. Hunt Badiner, San Francisco: Chronicle Books.

Jesse, R. 2001. On nomenclature for the class of mescaline-like substances and why it matters. In *Psychoactive Sacramentals*, ed. T. Roberts, San Francisco: CSP.

Jesse, R. 1997. Testimony of the Council on Spiritual Practices. In *Entheogens and the Future of Religion*, ed. R. Forte, San Francisco: CSP.

### Magazine Articles

Jesse, R. 1996. Entheogens: a brief history of their spiritual use. *Tricycle: The Buddhist Review*, 6:1.

### Talks

Jesse, R. 2012. From the Johns Hopkins psilocybin findings to the reconstruction of religion. Women's Visionary Congress, Petaluma, Calif., 28 July. Psychedelic Society of San Francisco, 5 August.

Jesse, R. 2010. Opening remarks and closing remarks. Psychedelic Science Conference, San Jose, Calif., 15-18 April.

Jesse, R. 2009. Psilocybin can occasion mystical-type experiences having sustained spiritual significance. 14 November, EGA / University of Melbourne, Melbourne, Australia.

Jesse, R. 2009. At Entheogenesis Australis, Swanpool, Victoria, Australia



1. Psilocybin and spirituality: Notes from the Johns Hopkins psilocybin studies (lecture, 7 November)
2. (Entheogens), awakening, and spiritual development (lecture, 8 November)
3. Communities of spirit (workshop / group dialog, 8 November)

Jesse, R. 2009. (Entheogens), awakening, and spiritual development. Horizons Conference, Judson Memorial Church, New York City, 25-27 Sept 2009.

Jesse, R. 2007. Review of psilocybin-induced experiences with sustained personal meaning and spiritual significance. Workshop for the California Society for Addiction Medicine, Los Angeles, 17 October.

Smith, Huston and R. Jesse. 2001. Cleansing the doors of perception: psychoactives and the mystical experience. Symposium for the University of California Extension, San Francisco, 27 October.

Jesse, R. 2001. Contemporary perspectives on the use of hallucinogens in spiritual practices. College on Problems of Drug Dependence, 21 June, Scottsdale.

Jesse, R. 1999. Psychoactive sacramentals. Parliament of the Worlds Religions, 4 December, Cape Town, South Africa.

Jesse, R. 1996. The entheogens. *Technologies of the Sacred*, International Transpersonal Association Conference, 20 May, Manaus, Brazil.

Jesse, R. 1996. Hallucinogens, spirituality, and health. Alternative Medicine Interest Group of Stanford Medical School, Stanford, CA, 23 January.

Jesse, R. 1993. Entheogen practices, ancient and modern. Starr King School for the Ministry, Berkeley, CA, 19 January.

###

## Harris Kenny

**Contact** 9123 E. Mississippi Avenue Unit 8-304  
Denver, Colorado 80247-2092  
1-201-650-5445 (cell)  
harris.kenny@reason.org

**Date of Birth** 23 May 1988

**Nationality** USA

**Affiliations** Policy Analyst, Reason Foundation  
Amendment 64 Task Force, Local Authority and Control Working Group  
Leadership Program of the Rockies Class of 2012

### Education and Certifications

2013 Advanced Certificate of Completion, Oaksterdam University  
*Expected Date of Completion: February 28, 2013*

2013 Basic Certificate of Completion, Oaksterdam University  
*Expected Date of Completion: February 28, 2013*

2010 Bachelor of Arts in Economics, Pepperdine University  
*Concentration in History*

### Employment

2009 - Current Reason Foundation

2011 - Current *Policy Analyst, Denver, Colorado*

2009 - 2011 *Research Assistant, Los Angeles, California*

2009 - 2010 Los Angeles Economic Development Corporation  
*Business Assistance Program Intern, Los Angeles, California*

2009 - 2010 Pepperdine University School of Public Policy  
*Research Assistant to Dr. Luisa Blanco, Malibu, California*

2009 - 2010 Pepperdine University Athletics Department  
*Economics and Statistics Tutor, Malibu, California*

2008 - 2009 Pepperdine University Seaver College Volunteer Center  
*Project Serve Coordinator, Malibu California*

2006 - 2008 Pepperdine University Payson Library  
*Reference Desk Librarian, Malibu, California*

### Publications

Kenny, H. (Publication Expected: March 2013): *The Challenge of Comparing Public and Private Prison Correctional Costs*, Los Angeles, CA: Reason Foundation.

Gilroy, L., Kenny, H. (Publication Expected: March 2013): *Annual Privatization Report 2012-13*:

- Criminal Justice and Public Safety*, Los Angeles, CA: Reason Foundation.
- Kenny, H., Summers, A., Titch, S., (Publication Expected: March 2013): *Annual Privatization Report 2012-13: Local Government Privatization*, Los Angeles, CA: Reason Foundation.
- Gilroy, L., Kenny, H., Davidson, T., (2013): *Better Service, Better Price: How Privatization can Streamline Government, Improve Services and Reduce Costs for Kansas Taxpayers*, Wichita, KS: Kansas Policy Institute.
- Gilroy, L., Kenny, H., Morris, J. (2013): *Parks 2.0: Operating State Parks Through Public-Private Partnerships*, Washington, D.C.: Conservation Leadership Council.
- Gilroy, L. and Kenny, H., (2012): *Annual Privatization Report 2011*, Los Angeles, CA: Reason Foundation.
- Gilroy, L., Kenny, H., Currie, K. and Steele, E. (2011): *Privatizing "Yellow Pages" Government in Pennsylvania*, Harrisburg: Commonwealth Foundation.
- Gilroy, L. and Kenny, H., (2011): *Annual Privatization Report 2010*, Los Angeles, CA: Reason Foundation.
- Gilroy, L., Summers, A., Randazzo, A., and Kenny, H., (2010): *Public-Private Partnerships for Corrections in California: Bridging the Gap Between Crisis and Reform*, Los Angeles, CA: Reason Foundation.

## Other Publications

Harris' writing has been published in numerous publications including: *The Wall Street Journal*, *The Denver Post*, *The Sacramento Bee*, *The Orange County Register*, *The Denver Business Journal*, *The Colorado Springs Gazette* and various other print and online outlets. Harris also serves as a co-editor of Reason Foundation's *Annual Privatization Report* and *Innovators in Action* publications.

## Beau Kilmer

1776 Main Street, P.O. Box 2138

Santa Monica, CA 90407-2138

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### EDUCATION

Harvard University, Kennedy School of Government/GSAS, Ph.D. in Public Policy, 2007

University of California—Berkeley, Goldman School of Public Policy, M.P.P., 2000

Michigan State University, James Madison College, B.A. with High Honor, 1998

### PROFESSIONAL EXPERIENCE

RAND, Senior Policy Researcher, May 2011—Present

RAND, Co-Director of the RAND Drug Policy Research Center, September 2008—Present

RAND, Full Policy Researcher, May 2009—May 2011

RAND, Associate Policy Researcher, July 2007—May 2009

RAND, Adjunct Staff, May 1997—October 2003; June 2006—July 2007

National Bureau of Economic Research, Research Assistant, January 2004—June 2006

Harvard University, Research Assistant, May 2003—September 2003

Superior Court of California, San Francisco, Administrative Analyst, October 2001—August 2002

Netherlands Institute of Mental Health and Addiction, Visiting Scientist, July 2001

### RECENT GRANTS & CONTRACTS (as Principal Investigator or Co-Principal Investigator)

**B. Kilmer** (PI) & N. Nicosia (Co-PI). \$1.1 million. Evaluating South Dakota's 24/7 Sobriety Program. National Institute on Alcohol Abuse and Alcoholism. 2011-14.

G. Ridgeway (PI), **B. Kilmer** (Co-PI), & J. Saunders (Co-PI). \$2.9 million. An evaluation of the BJA Drug Market Initiative Training and Technical Assistance Initiative. National Institute of Justice. 2011-2014.

**B. Kilmer** (PI) & S. Everingham (Co-PI). \$479,000. Estimating what America's users spend on illicit drugs. White House Office of National Drug Control Policy. 2012-2013.

**B. Kilmer** (PI). \$25,000. Assessing the drug policy landscape in the United States and abroad. MacArthur Foundation. 2012.

**B. Kilmer** (PI). \$200,000. Evaluating San Francisco's Community Justice Center. City and County of San Francisco, Office of the Controller. 2011-2013.

F. Trautmann (PI), **B. Kilmer** (Co-PI), & P. Turnbull (Co-PI). \$887,000. Further analysis of the EU illicit drugs market and responses to it – responding to future challenges. European Commission. 2011-2012.

R. Pacula (PI) & **B. Kilmer** (Co-PI). \$220,000. Measuring drug-related crime. White House Office of National Drug Control Policy. 2011-2012.

- R. Pacula (PI) & **B. Kilmer** (Co-PI). \$276,000. The effect of NPLEx on methamphetamine production and consumption. Consumer Healthcare Products Association. 2010-2011.
- E. D'Amico (PI) & **B. Kilmer** (Co-PI). \$255,000. A cost-effectiveness supplement to E. D'Amico's parent grant to experimentally evaluate a voluntary brief voluntary alcohol and drug intervention for middle school youth. National Institute on Alcohol Abuse and Alcoholism. 2009-2011.
- N. Nicosia (PI) & **B. Kilmer** (Co-PI). \$400,000. The effectiveness of drug treatment to improve community-level health and social outcomes in California. Robert Wood Johnson Foundation. 2008-2011
- J. Rubin (PI) & **B. Kilmer** (Co-PI). \$195,000. Developing a European Crime Report. European Commission. 2009-2010.
- B. Kilmer** (PI) & S. Hoorens (Co-PI). \$220,000. Study on policy relevant information and data in the field of drug supply reduction and drug-related crime in the EU and Third Countries. European Commission. 2008-2009.

## BOOKS

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1. J. Caulkins, A. Hawken, **B. Kilmer**, & M. Kleiman. (2012). *Marijuana legalization: What everyone needs to know*. New York: Oxford University Press.

## ARTICLES IN PEER-REVIEWED JOURNALS

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2. **B. Kilmer**, N. Nicosia, P. Heaton, & G. Midgette. (2013). Efficacy of frequent monitoring with swift, certain, and modest sanctions for violations: Insights from South Dakota's 24/7 Sobriety Project. *American Journal of Public Health, 103*, e37-e43.
3. J. Caulkins, **B. Kilmer**, R. Pacula, R. MacCoun, & P. Reuter. (2012). Design considerations for legalizing cannabis: Lessons inspired by analysis of California's Proposition 19. *Addiction, 107*, 865-871.  
  
J. Caulkins, **B. Kilmer**, R. Pacula, R. MacCoun, & P. Reuter. (2012). Response to commentaries. *Addiction, 107*, 866-877.
4. S. Paddock, **B. Kilmer**, J. Caulkins, M. Booth, & R. Pacula. (2012). An epidemiological model for examining marijuana use over the life course. *Epidemiology Research International, 2012*, Article ID 520894. doi:10.1155/2012/520894.
5. **B. Kilmer**, J. Caulkins, R. Pacula, & P. Reuter. (2011). Bringing perspective to illicit markets: Estimating the size of the U.S. marijuana market. *Drug and Alcohol Dependence, 119*, 153-160.
6. **B. Kilmer**, J. Burgdorf, E. D'Amico, J. Miles, & J. Tucker. (2011). Multisite cost analysis of a school-based voluntary alcohol and drug prevention program. *Journal of Studies on Alcohol and Drugs, 72*, 823-832.
7. J. Burgdorf, **B. Kilmer**, & R. Pacula. (2011). Heterogeneity in the composition of marijuana seized in California. *Drug and Alcohol Dependence, 117*, 59-61.

8. **B. Kilmer**, C. Eibner, J. Ringel, & R. Pacula (2011). Invisible wounds, visible savings? Using microsimulation to estimate the costs and savings associated with providing evidence-based treatment for PTSD and depression to veterans of Operation Enduring Freedom and Operation Iraqi Freedom. *Psychological Trauma: Theory, Research, Practice, and Policy*, 3, 201-211.
9. H. Nunberg, **B. Kilmer**, R. Pacula, & J. Burgdorf. (2011). An analysis of applicants presenting to a medical marijuana specialty practice in California. *Journal of Drug Policy Analysis*. <http://www.bepress.com/jdpa/vol4/iss1/art1>.
10. R. Pacula, **B. Kilmer**, M. Grossman, & F. Chaloupka. (2010). Risks and prices: The role of user sanctions in marijuana markets. *The B.E. Journal of Economic Analysis & Policy*: Vol. 10 : Iss. 1 (Contributions), Article 11.
11. M. Kleiman & **B. Kilmer**. (2009). The dynamics of deterrence. *Proceedings of the National Academy of Sciences of the United States of America*, 106, 14230-1423. (Communicated by T. Schelling)
12. **B. Kilmer**. (2008). The future of DIRECT surveillance: Drug and alcohol use Information from REmote and COntinuous TEsting. *Journal of Drug Policy Analysis*, 1.
13. **B. Kilmer**. (2008). Does parolee drug testing influence employment and education outcomes? Evidence from a randomized experiment with noncompliance. *Journal of Quantitative Criminology*, 24, 93-123.

#### PEER-REVIEWED RAND REPORTS

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14. R. Pacula, R. Lundberg, J. Caulkins, **B. Kilmer**, S. Greathouse, T. Fain, & P. Steinberg (Forthcoming). *Recommendations for improving the measurement of drug-related crime*.
15. **B. Kilmer**, J. Caulkins, R. Pacula, & P. Reuter. (2012). *The U.S. drug policy landscape: Insights and opportunities for improving the view*. OP-325. Santa Monica, CA: RAND.
16. P. Hunt, **B. Kilmer**, & J. Rubin. (2011). *Development of a European Crime Report: Improving safety and justice with existing crime and criminal justice data*. TR-936-EC. Brussels: RAND.
17. **B. Kilmer**, J. Caulkins, B. Bond, & P. Reuter. (2010). *Reducing drug trafficking revenues and violence in Mexico: Would legalizing marijuana in California help?* OP-325. Santa Monica, CA: RAND.
18. **B. Kilmer**, J. Caulkins, R. Pacula, R. MacCoun, & P. Reuter. (2010). *Altered state? Assessing how marijuana legalization in California could influence marijuana consumption and public budgets*. OP-315. Santa Monica, CA: RAND.
19. **B. Kilmer** & S. Hoorens (Eds.). (2010). *Understanding illicit drug markets, supply-reduction efforts, and drug-related crime in the European Union*. TR-755-EC. Cambridge, UK: RAND.
20. **B. Kilmer** & R. Pacula. (2009). *Estimating the size of the global drug market: A demand-side approach*. TR-711. Santa Monica: RAND.
21. R. Pacula, S. Hoorens, **B. Kilmer**, P. Reuter, J. Burgdorf, & P. Hunt. (2009). *Issues in estimating the*

- economic cost of drug abuse in consuming nations*. TR-709. Santa Monica: RAND.
22. P. Reuter, F. Trautmann, R. Pacula, **B. Kilmer**, A. Gageldonk, & D. van der Gouwe. (2009). *Assessing changes in global drug problems, 1998-2007: Main report*. TR-704. Santa Monica: RAND.
23. N. Nicosia, R. Pacula, **B. Kilmer**, R. Lundberg, & J. Chiesa. (2009). *The economic cost of methamphetamine use in the United States, 2005*. MG-829. Santa Monica: RAND.
24. C. Eibner, J. Ringel, **B. Kilmer**, R. Pacula, & C. Diaz. (2008). The cost of post-combat mental health and cognitive conditions. In T. Tanielian & L. Jaycox (Eds.), *Invisible wounds of war: Psychological and cognitive injuries, their consequences, and services to assist recovery* (pp. 169-242). Santa Monica: RAND.

#### **BOOK CHAPTERS & OTHER REPORTS**

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25. J. Caulkins & **B. Kilmer**. (In press). Criminal justice costs of prohibiting marijuana in California. In K. Tate, J. Taylor, & M. Sawyer (Eds.), *Something's In the Air: Race and the Legalization of Marijuana*. New York: Routledge.
26. **B. Kilmer**. (2012). Debunking the mythical numbers about marijuana production in Mexico and the United States. In E. Zedillo and H. Wheeler (Eds.), *Rethinking the "War on Drugs" Through the US-Mexico Prism* (pp. 168-175). New Haven, CT: Yale Center for the Study of Globalization.
27. **B. Kilmer** & R. Pacula. (2010). Preventing drug use. In P. Levine & D. Zimmerman (Eds.), *Targeting Investments in Children: Fighting Poverty When Resources are Limited* (pp. 181-220). Chicago: University of Chicago Press/National Bureau of Economic Research.
28. R. Pacula, R. MacCoun, P. Reuter, J. Chriqui, **B. Kilmer**, K. Harris, L. Paoli, & C. Schaefer. (2005). What does it mean to decriminalize marijuana? A cross-national empirical examination. In B. Lindgren & M. Grossman (Eds.), *Substance use: Individual behavior, interactions, markets, and politics*. JAI Press.
29. **B. Kilmer** & R. MacCoun. (2004). Public policy on addictive disorders. In R. Coombs (Ed.), *Handbook of addictive disorders: A practical guide to diagnosis and treatment* (pp. 495-534). New York: Wiley.
30. R. MacCoun, **B. Kilmer**, & P. Reuter. (2003). Research on drug-crime linkages: The next generation (Commissioned paper). In *Drugs and crime: A research agenda for the 21<sup>st</sup> Century*. National Institute of Justice Special Report. Washington, DC: U.S. Department of Justice.
- Reprinted in M. Kelley. (2006). *Readings on drugs and society: The criminal connection*. Boston: Allyn & Bacon.
31. **B. Kilmer**. (2002). Do cannabis possession laws influence cannabis use? In I. Spruit (Ed.), *Cannabis 2002 report: Technical report of the International Scientific Conference* (pp. 119-141). Brussels: Ministry of Public Health of Belgium.

#### **OP-EDS & MAGAZINE ARTICLES**

---

32. J. Caulkins, A. Hawken, **B. Kilmer**, & M. Kleiman. (2012). A voter's guide to legalizing marijuana. *The American Interest*, Nov-Dec.
33. M. Kleiman, J. Caulkins, A. Hawken, & **B. Kilmer**. (2012). Eight questions for drug policy research. *Issues in Science and Technology*, Summer.
34. J. Caulkins, A. Hawken, **B. Kilmer**, & M. Kleiman. (2012). "Marijuana Legalization: What Everyone Needs to Know" Authors Discuss Risks and Rewards of Legal Weed. *The Huffington Post*, September 4.
35. **B. Kilmer**. (2012). The marijuana exception. *The Wall Street Journal*, April 21.
36. **B. Kilmer**. (2011). Mitos de la mota. *Nexos*, September.
37. **B. Kilmer** & P. Reuter. (2009). Doped: How two plants wreak havoc on the countries that produce and consume them — and everyone in between. *Foreign Policy*, 175, 34-35.
- For additional sources, see  
[http://www.foreignpolicy.com/articles/2009/10/19/prime\\_numbers\\_doped?page=0,2](http://www.foreignpolicy.com/articles/2009/10/19/prime_numbers_doped?page=0,2)
38. L. Campos, S. Jimenez, **B. Kilmer**, A. Knowles, A. Vorobets, & M. Wolf. (2002). Protecting victims of abuse (Op-ed). *Los Angeles Daily Journal*, September 4.
39. **B. Kilmer**. (1997). Are needle exchanges a forgotten weapon in the war against AIDS? (Op-ed). *Los Angeles Times*, January 13.

#### **OTHER WRITINGS**

---

- B. Kilmer** & J. Caulkins. (2010). Filtering through the smoke: Legalizing marijuana would slash its price, but the effects on use and revenues are hazy. *RAND Review*, 34: 12-13.
- B. Kilmer**, S. Hoorens, & J. Caulkins. (2010). Do drug arrests work? Measuring the effectiveness of drug enforcement in Europe. *RAND Review*, 34: 14-15.
- Q&A: Beau Kilmer on President's National Drug Control Strategy. (2009). *Harvard Kennedy School Webpage*. <http://www.hks.harvard.edu/news-events/news/articles/ash-kilmer-drug-policy-sept09>
- B. Kilmer**. (2009). The indirect consequences of DIRECT surveillance: Drug and alcohol use Information from REmote and Continuous Testing. *The Voice: The National Partnership on Alcohol Misuse and Crime's quarterly newsletter*. <http://www.alcoholandcrime.org/npamc/news-events/the-voice/original6>
- B. Kilmer** & M. Iguchi. (2009). Drug treatment for drug-abusing criminal offenders: Insights from California's Proposition 36 and Arizona's Proposition 200. *Knowledge Asset, Web site created by the Robert Wood Johnson Foundation's Substance Abuse Policy Research Program*. [http://www.saprp.org/KnowledgeAssets/Knowledge\\_Detail.cfm?KAID=17](http://www.saprp.org/KnowledgeAssets/Knowledge_Detail.cfm?KAID=17) (Peer reviewed)
- Revised "Seizure of Drugs" entry for the third edition of *Encyclopedia of Drugs, Alcohol & Addictive Behavior* (MacMillan Reference Books, 2009).



- R. Davis, J. Rubin, L. Rabinovich, **B. Kilmer**, & P. Heaton. (2008). A synthesis of literature on the effectiveness of community orders. Prepared for the National Accounting Office (U.K.). TR-518. Cambridge: RAND.
- H. Rigter, M. van Laar, S. Rigter, & **B. Kilmer**. (2003). *Cannabis: Feiten En Cijfers Anno 2003* (Cannabis: Facts and Figures Year 2003). Utrecht: Bureau Nationale Drugmonitor.
- P. Ebener & **B. Kilmer**. (2003). Linking drug users with treatment: Admissions counselors describe the barriers. *RAND Draft Report DRU-2948-PH*.
- R. Pacula & **B. Kilmer**. (2003). Marijuana and crime: Is there a connection beyond prohibition? *National Bureau of Economic Research Working Paper #10046*.

### **WORKS IN PROGRESS**

---

- "Quasi-legal cannabis in Colorado and Washington: Local and national implications" (With J. Caulkins, A. Hawken, & M. Kleiman)
- "What America's users spend on illicit drugs, 2000-2010" (With R. Burns, J. Caulkins, S. Everingham, B. Han, R. Lundberg, G. Midgette, R. L. Pacula, & P. Reuter)
- "The effect of South Dakota's 24/7 Sobriety Project on mortality" (With N. Nicosia, P. Heaton, & G. Midgette)
- "A new estimate of the weight of a marijuana joint" (With B. Han & G. Ridgeway)
- "Insights into the economics of policing: A cost analysis of police department activities in two drug market intervention sites" (With J. Burgdorf)

### **FELLOWSHIPS & AWARDS**

---

- RAND Gulf States Business Development Fellow, 2012
- RAND President's Award, 2011
- RAND Gold Merit Bonus Award, 2011
- RAND Bronze Merit Bonus Award, 2010
- RAND Bronze Merit Bonus Award, 2008 (Shared with Chrissy Eibner)
- Taubman Center for State and Local Government Research Award, John F. Kennedy School of Government, Harvard University, 2006-2007
- Judicial Administration Fellowship, co-sponsored by the California Judicial Council and the Center for California Studies at CSU-Sacramento, 2001-2002
- Selected to attend the month-long Quantitative Analysis of Crime and Criminal Justice seminar at ICPSR, University of Michigan, 2000 (Stipend from U.S. Dept. of Justice)
- Phi Beta Kappa, 1998

### **SELECTED PRESENTATIONS AND ROUNDTABLE DISCUSSIONS**

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- American Enterprise Institute (2012), American Society of Criminology (2004, 2005, 2010, 2011), Association of Public Policy and Management (2005, 2006, 2008-discussant, 2009, 2010, 2011, 2012),

American Society of Health Economists (2012), Brookings Institution (2012), Brown University's Watson Institute (2012), California Society of Addiction Medicine (2011), Charles Drew University of Medicine and Science (2009), Commonwealth Club (2010), Council of the European Union, Horizontal Working Party on Drugs (Brussels 2009), Drogas Ilicitas en Colombia (Bogotá 2010-discussant), Harvard Latino Law and Policy Conference (2010), Google TechTalk (2010), Illicit Trade and Globalisation (Venice, Italy 2008), International Scientific Conference on Cannabis (Brussels 2002), International Society for the Study of Drug Policy (2007-2012), Jonathan Club (2011 x2), National Partnership on Alcohol Misuse and Crime (2009, 2012), RAND Board of Trustees (2010), RAND Congressional Briefing (2010, 2012), Universidad Nacional Autónoma de México (2012), Western Economic Association (2003, 2006), Workshop on Criminology and the Economics of Crime, University of Maryland (2006), Universidad de los Andes (2013), Yale Center for the Study of Globalization (2011)

## **PROFESSIONAL SERVICE**

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Testimony: Insights on the effects of marijuana legalization on prices and consumption. *Testimony presented before the California State Assembly Public Safety Committee and California State Senate Public Safety Committee, September 21, 2010.*

Co-Editor: *Journal of Drug Policy Analysis* (2008-Present)

Assistant Editor: *Addiction* (2009-Present)

Ad-hoc Reviews: NIAAA (P50), *Addiction, Contemporary Drug Problems, Criminology, International Journal of Drug Policy, International Journal of Offender Therapy and Comparative Criminology, Journal of Applied Economics, Journal of Quantitative Criminology, Law & Social Inquiry*

Conference committee: International Society for the Study of Drug Policy (2009, 2010)

## **TEACHING EXPERIENCE**

---

Core member of the Pardee RAND Graduate School faculty (2010/2011, 2011/2012, 2012/2013)

Economics of Drug Use and Drug Policy. (Harvard, S2005, Undergraduate). Created tutorial and taught biweekly seminars for economics majors.

Quantitative Analysis and Empirical Methods. (Harvard, F2005, M.P.P.). Teaching Fellow for Anne Piehl.

## **MEDIA**

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Selected Interviews/Quotes:

*Atlantic Monthly, Al Jazeera, All Things Considered, AOL News, AOL DailyFinance, Associated Press, BBC News, Bloomberg, CCTV-America, CNN, CQ Researcher, Denver Post, Dow Jones, East Bay Express, KCRW (To The Point, Which Way, L.A.), Chicago-Sun Times, Christian Science Monitor, KCBS Radio, KNBC (News Conference), KNPR, KPCC (Air Talk, Take Two), Le Figaro, Los Angeles Times, Marketplace,*

*Milenio (MX), Minnesota Public Radio (The Daily Circuit), New York Times, NBC (Nightly News), New Zealand Herald, Oakland Tribune, PolitiFact, PRI (The World), Radio Free Europe, Reuters, Rolling Stone, Sacramento Bee, Salon, San Francisco Chronicle, San Jose Mercury News, Time Magazine (online), Univision, UPI, USA Today, WNPR (Where We Live)*

Other Select Outlets Mentioning Research:

*Bloomberg News, Christian Science Monitor, CNBC, The Economist, Financial Times, FoxNews.com, Globe and Mail, McClatchy Newspapers, MSNBC (Andrea Mitchell), Nation, New Scientist, New York Times Magazine, Newsweek, San Diego Union-Tribune, San Francisco Chronicle, The Scotsman, Washington Times.*

Updated: February 2013

**Mark A. R. Kleiman**

**CURRENT ACADEMIC APPOINTMENTS**

**LUSKIN SCHOOL OF PUBLIC AFFAIRS, UCLA**

PROFESSOR OF PUBLIC POLICY

DIRECTOR, DRUG POLICY ANALYSIS PROGRAM

CO-DIRECTOR, JACOB MARSCHAK INTERDISCIPLINARY COLLOQUIUM ON MATHEMATICS IN THE SOCIAL SCIENCES

**BATTEN SCHOOL OF LEADERSHIP AND POLICY, UNIVERSITY OF VIRGINIA**

VISITING PROFESSOR OF PUBLIC POLICY, FALL 2012

**NATIONAL INSTITUTE OF JUSTICE**

VISITING FELLOW, 2011-2012

**OTHER PROFESSIONAL ACTIVITY**

---

**NATIONAL RESEARCH COUNCIL, COMMITTEE ON LAW AND JUSTICE**

COMMITTEE MEMBER

**BOTEC ANALYSIS CORPORATION (CAMBRIDGE, MASSACHUSETTS )**

CHAIRMAN AND CEO

**JOURNAL OF DRUG POLICY ANALYSIS**

EDITOR

**WEBLOG**

The Reality-Based Community ([samefacts.com](http://samefacts.com))

**PRIOR ACADEMIC AFFILIATIONS**

---

HARVARD LAW SCHOOL

VISITING PROFESSOR, WINTER 2012

UNIVERSITY OF MARYLAND SCHOOL OF PUBLIC POLICY

THOMAS C. SCHELLING VISITING PROFESSOR, FALL 2006

HARVARD UNIVERSITY, JOHN F. KENNEDY SCHOOL OF GOVERNMENT

ASSOCIATE PROFESSOR OF PUBLIC POLICY, 1992-1996.

## **GOVERNMENT AND BUSINESS EXPERIENCE**

---

OFFICE OF POLICY AND MANAGEMENT ANALYSIS, CRIMINAL DIVISION,  
UNITED STATES DEPARTMENT OF JUSTICE

DIRECTOR, 1982-1983.

Managed a group of eleven professionals (plus support staff) working on policy and management studies and on the development and use of information systems.

ASSOCIATE DIRECTOR FOR DRUG ENFORCEMENT PROGRAMS, 1979-1982.

Analyzed the impact of drug law enforcement strategies on the structure and operations of the illicit drug industry, and proposed changes in enforcement organization, strategy, and operations to minimize the social cost of drug trafficking given limited enforcement resources.

## **U.S. HOUSE OF REPRESENTATIVES**

LEGISLATIVE ASSISTANT TO REP. LES ASPIN, 1974-1975.

Advised the Congressman on energy, environmental, and economic issues. Drafted the first legislation to regulate fluorocarbon (Freon) emissions, proposing a market-simulating auction system, and did extensive analyses of the breeder reactor development program and of the risks and benefits of recycling the plutonium contained in spent nuclear reactor fuel.

## **EDUCATION**

---

**HARVARD UNIVERSITY, JOHN F. KENNEDY SCHOOL OF GOVERNMENT,  
CAMBRIDGE, MA**

PH.D. IN PUBLIC POLICY, June 1985.

Thesis title: *Allocating Federal Drug Enforcement Resources: The Case of Marijuana.*

MASTER OF PUBLIC POLICY, June 1977.

**Haverford College, Haverford, PA**

BACHELOR OF ARTS, *magna cum laude*, June 1972.

Major fields: Economics (honors), Philosophy (honors), Political Science (high honors).  
Phi Beta Kappa.

## PUBLICATIONS

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### BOOKS

- Marijuana Legalization: What Everyone Needs to Know* (with Jonathan P. Caulkins, Angela Hawken, Beau Kilmer), Oxford University Press, June, 2012.
- Drugs and Drug Policy: What Everyone Needs to Know* (with Jonathan P. Caulkins and Angela Hawken), Oxford University Press, June, 2011.
- Encyclopedia of Drug Policy*, (general editor), Sage Publications (2011).
- When Brute Force Fails: How to Have Less Crime and Less Punishment*, Princeton, NJ: Princeton University Press, 2009. (Named one of the "Books of the Year" for 2009 by *The Economist*.)
- Against Excess: Drug Policy for Results*; New York: Basic Books, 1992 (Aaron Wildavsky Book Award, Policy Studies Organization, 1993).
- Marijuana: Costs of Abuse, Costs of Control*; Greenwich, Conn.: Greenwood Press, 1989.

### JOURNAL ARTICLES, BOOK CHAPTERS

- "A Voter's Guide To Legalizing Marijuana," (with Jonathan P. Caulkins, Angela Hawken, and Beau Kilmer), *The American Interest* (Nov/Dec 2012).
- "Eight Questions for Drug Policy Research," (with Jonathan P. Caulkins, Angela Hawken, and Beau Kilmer), *Issues in Science and Technology* (Summer, 2012).
- "Controlling Drug Use and Crime Among Drug-Involved Offenders: Testing, Sanctions, and Treatment," in Philip H. Heymann and William N. Brownsberger eds. *Drug Addiction and Drug Policy*, Harvard University Press, 2001.
- "Drug Testing in Criminal Justice Settings," (with Adele Harrell), in C. Leukefeld and F. Tims eds. *Clinical and Policy Responses to Drug Offenders*, Springer Publishing Co., 2001.
- "Getting Deterrence Right: Applying Tipping Models and Behavioral Economics to the Problems of Crime Control," *Perspectives on Crime and Justice: 1998-1999 Lecture Series*, National Institute of Justice, Vol. 3, November 1999.
- "Community Corrections as the Front Line in Crime Control," *UCLA Law Review*, Vol. 46, No. 6, August 1999.
- "Economic cost measurements, damage minimization and drug abuse control policy," *Addiction*, Vol. 94, No. 5, pp. 638-641, May 1999.
- "The Ambiguities of Harm Reduction in Crime and Drug Policy," in Edward L. Rubin, ed., *Minimizing Harm: A New Crime Policy for Modern America*, Westview Press, 1999.
- "Crime Policy: Challenge and Opportunities," in *Crime Policy for the 21<sup>st</sup> Century*, National Institute of Justice, Washington D.C., 1999.

- "Principles for Practical Drug Policies: The Case for a Slow Fix," [London: The Prison Reform Trust], 1999.
- "Drug Policy for Crime Control," *Policy Options*, Vol. 19, No. 8, October 1998.
- "Drugs and Drug Policy: The Case for a Slow Fix," *Issues in Science and Technology*, Vol. XV, No. 1, Fall 1998.
- "Thoughts on the Medical Cannabis Issue," *Drug Policy Analysis Bulletin*, No. 2, May 1997.
- "Methamphetamine Returns," (with Sally Satel), *Drug Policy Analysis Bulletin*, No. 1, January 1997.
- "Managing Drug-Involved Offenders," *Drug Policy Analysis Bulletin*, No. 1, January 1997.
- "Coerced Abstinence: A Neo-Paternalistic Drug Policy Initiative," in Lawrence A. Mead, ed., *The New Paternalism*, Brookings Institution Press, 1997.
- "The Factors of Production in Retail Drug Dealing," (with Rebecca M. Young), *Urban Affairs Review* (formerly the *Urban Affairs Quarterly*), Vol. 30, No. 5, May 1995.
- "The Medical Use of Marijuana: The Case for Clinical Trials," (with Richard Doblin), *Journal of Addictive Diseases*, Vol. 14 (1), 1995.
- "Neither Prohibition Nor Legalization: Grudging Toleration in Drug Control Policy," *Daedalus*, Summer 1992.
- "Taxes, Regulations, and Prohibitions: Reformulating the Legalization Debate," (with Aaron Saiger), in Peter H. Smith ed., *Drug Policy in the Americas*, Westview Press, 1992.
- "Marijuana as Antiemetic Medicine: A Survey of Oncologists' Experience and Attitudes," (with Richard Doblin), *Journal of Clinical Oncology*, Vol. 9, No. 7, July 1991.
- "The Optimal Design of Drug-Control Laws," in Melvyn B. Krauss and Edward P. Lazear eds., *Searching for Alternatives: Drug Policy in the United States*, Hoover Institution Press, 1991.
- "Drug Legalization: The Importance of Asking the Right Question" (with Aaron J. Saiger), *Hofstra Law Review*, Vol. 18, No. 3, Spring 1990.
- "State and Local Drug Enforcement: In Search of a Strategy," (with Kerry D. Smith), in Michael Tonry and Norval Morris eds., *Crime and Justice: An Annual Review of Research*, Vol. 12, 1990.
- "Drug Enforcement and Organized Crime," in Alexander and Caiden eds., *The Politics and Economics of Organized Crime*, [Lexington: Lexington Books], 1984.

#### **TECHNICAL REPORTS AND POLICY MEMOS**

- "Marijuana Situation Assessment," (with Andrew Lockwood Chalsma and David A. Boyum), BOTEC Analysis Corporation, 1994.

"Survey Research and Drug Enforcement Policy," Working Paper #87-01-04, Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University, Cambridge, Massachusetts, January 1987.

"Regulating Psychoactive and Abusable Drugs: The Issue of Abuse Potential Testing," (with Mark Moore, Christopher Putala, David Burmaster, Susanna Ginsburg, and David Hsia), BOTEC Analysis Corporation, Cambridge, Massachusetts, January 1986.

"High on Numbers: The Mythical Domestic Marijuana Crop," paper presented at the annual meeting of the Association for Public Policy Analysis and Management, October 1985.

### JOURNALISM

"In California, Legal Pot is Best of Bad Options," *Bloomberg View* op-ed, June 15, 2011.

"Surgical Strikes in the War on Drugs: Smarter Policies for Both Sides of the Border," *Foreign Affairs*, vol. 90, No. 5., September/October 2011.

"Advice for the New Drug Czar," *The American Prospect*, published online February 12, 2009.

"Dopey, Boozy, Smokey---and Stupid," *The American Interest*, Vol. II, No. 3, pp.79-91, January/February 2007.

### BOOK REVIEWS

"*Cannabis Policy: Moving Beyond Stalemate*," by Robin Room et. al, review in *Addiction* (featured review), Vol. 106, pp. 1194 – 1196.

*Drugs and Youth Cultures: Local and Global Expressions*, by Philip Lalander and Mikko Salasuo eds., review in *Addiction*, Vol. 102, pp. 167-168, 2007.

*Cannabis Use and Dependence*, by and Rosalie Licado Pacula, review in *Journal of Policy Analysis and Management*, Vol. 24 No. 1, pp. 196-199, Winter 2005.

*Drug Control and the Courts*, by James A. Inciardi, Duane C. McBride, and James E. Rivers, and *Drug War Politics: The Price of Denial*, by Eva Bertram, Morris Blachman, Kenneth Sharpe, and Peter Andreas, review in *Addiction*, Vol. 93, No. 10, 1998.



## AXELLE KLINCKE

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### EDUCATION

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**GEORGETOWN UNIVERSITY, School of Foreign Service**  
**M.A. in Security Studies Candidate, Merit Scholarship Awardee**  
Academic Concentration: Science and Technology

Washington, DC  
December 2014

**UNIVERSITY OF CALIFORNIA**  
**B.A. in Global Studies, Minors in Public Affairs and Political Science**  
**Study Abroad:** UCLA Global Studies Program in Paris, France

Los Angeles, CA  
March 2011

Focus: The rise of homegrown radical terrorism in Europe, its implications for the U.S., and policies the U.S. and E.U. should bilaterally develop

**Thesis:** *The Economic Cost of Radiological Attack*; attended LANL training session; interviewed experts at LANL and EPA

### EXPERIENCE

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#### **NINETEENTH NATIONAL SECURITY LAW INSTITUTE**

Charlottesville, VA

Logistical Intern

June 2011

- Participant in decision-making simulation which posited a possible grenade-launcher-armed terrorist and required a ten-minute decision between attacking with a drone or inaction
- Rapporteur and manager of conference logistics

#### **NATIONAL CENTER FOR RISK AND ECONOMIC ANALYSIS OF TERRORISM EVENTS**

Los Angeles, CA

Research Assistant

(CREATE)

Jan. 2011-Dec. 2011

- All research contributed to a cost-benefit analysis for CalEMA (California Emergency Management Agency) on the utility of installing radiation detection devices at California's high-value targets and included:
- Attack scenarios with estimated casualties for a hypothetical attack on the Golden Gate Bridge
- A detailed map of point of entry nodes around Los Angeles International Airport
- A report outlining radiation detection technologies, and initial and maintenance costs associated with each technology

#### **JAMES MARTIN CENTER FOR NONPROLIFERATION STUDIES**

Washington, DC

Research Intern

Sep. 2010-Dec. 2010

- Compiled Excel database of all satellites currently in orbit, including host country, manufacturer, and year launched
- Researched power use, cost, and power grid vulnerabilities in Jerusalem, Israel
- Worked on multilateral effort that sought to determine how to internationally criminalize the smuggling of nuclear material
- Organized conference on alternative approaches to counter-proliferation efforts and coordinated a presentation for 30 embassy officials on biowarfare and the difficulties of bio-attribution

#### **UCLA SCHOOL OF PUBLIC POLICY**

Los Angeles, CA

Research Assistant

June 2010-Sep. 2010

- Wrote an extensive report analyzing the effects of U.S. military occupation on the Afghan opium trade
- Report contributed to *Drugs and Drug Policy*

#### **AXELLE CLAIRE FINE JEWELRY**

Los Angeles, CA

Founder, [www.axelleclaire.com](http://www.axelleclaire.com)

Jan. 2010-Present

- Design, negotiate prices with gem traders, oversee manufacturing, place products in boutiques, and created online boutique
- Work directly with clients on custom orders
- Generate approximately \$25,000 annually in sales; 10% of sales donated to Feeding America and the American Red Cross

#### **PRICEWATERHOUSECOOPERS**

Papeete, Tahiti

International Law Intern

June 2007-Sep. 2007

- Translated contracts and other documents between English and French
- Served as an interpreter and note-taker during meetings and telephone conversations

### DISTINCTIONS

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**Languages:** French and Dutch (native), Spanish (fluent), Arabic (elementary proficiency)

**Competitive Tennis:** from age 8; Ranked nationally and in the top ten juniors in California; Winner of the Zonals national tennis tournament; Semi-finalist in the Los Angeles Championships

**International Travel:** Have visited 19 foreign countries

## JONATHAN D. KULICK, PHD

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Santa Monica, CA 90402

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jonathan.kulick@pepperdine.edu

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### Profile

Policy analyst and policy-institution manager. Expertise in a wide range of domestic and international issues. Outstanding methodological, technical, organizational, and communication skills.

### Work Experience

*Pepperdine University School of Public Policy*, Senior Project Director 2011–present  
Adjunct Professor 2012–present

Direct policy-oriented research, evaluation, and implementation projects. Managing national implementation and several state and local studies of probation and parole reform. Co-directed landmark studies of public opinion in Syria. Teach masters-level courses on economics and policy of infrastructure, and science and innovation.

*JDK Analysis*, Director 1994–present

Conduct policy, economic, and engineering analyses. Clients' interests have included drug regulation, technology education, counternarcotics, alternative sentencing, democratization, devolution, macroeconomic reform, WTO accession, utility privatization, industry-cluster development, and wastewater treatment. Services include numerical modeling, statistical and econometric analysis, and survey design.

*State Ministry of Georgia for Reintegration*, Senior Advisor 2010–2012

Advised Government of Georgia on policymaking, strategic communications, and negotiations on foreign relations and conflict resolution. Drafted national strategy and action plan, which earned critical international support for Georgia's position. Built capacity to analyze international-law, security, and economic issues. Led restructuring and staff retraining for transition to program-implementing ministry.

*Georgian Foundation for Strategic & International Studies*, Director of Studies 2006–2009  
Professor and Advisor 2002–2006

Built and directed research programs in policy analysis, national security, economics, and governance. Advised Government of Georgia on policy and strategy reforms. Taught foreign-policy analysis and social-science research methods. Created training programs in party building, energy policy, security, and public administration. Raised institution's profile and brought in two million dollars in new support.

*RAND Corporation*, Associate Policy Analyst 1998–2006

Conducted research and advised policymakers in decisionmaking, security, and energy/environment. Provided recommendations that shaped California hospital-infrastructure legislation and vehicle fuel-efficiency standards, and federal electric-utility regulations. Co-authored two books and ten reports; won annual international award for best energy-economics paper.

*IBM Almaden Research Center*; Research Staff Member 1996–1998

Conducted experimental and analytical research in hard-disk-drive mechanics and micro-contamination. Process-control innovations streamlined production and improved yields of highest-capacity drives.

*Atcor*, Senior Project Manager 1994–1996

Managed teams of engineers in design and manufacture of equipment for precision-manufacturing industries. Responsible for budgeting and scheduling, and coordinating customers, suppliers, and allied equipment makers. Led cleaning-process research that yielded new, multimillion-dollar product line.

*American Committee to Save Bosnia*, Policy Advocate 1993–1994

Lobbied U.S. Senate to lift arms embargo on Bosnia. Advised newly formed Bosnian Embassy to the U.S.

## Education

M.Phil. with Distinction, Policy Analysis, The RAND Graduate School	2000
Ph.D., Mechanical Engineering, Stanford University	1994
B.S. with Distinction, Engineering, Swarthmore College	1988
B.A. with High Honors, Mathematics, Swarthmore College	1988

## Honors and Awards

Best Paper of the Year, International Association for Energy Economics	2005
Herbert Goldhamer Award, The RAND Graduate School	2002
Donald and Susan Rice Fellowship, The RAND Graduate School	1998–1999
National Science Foundation Graduate Fellowship, Stanford University	1988–1991
Phi Beta Kappa, Swarthmore College	1988
Tau Beta Pi, Swarthmore College	1988
Sigma Xi, Swarthmore College	1988

## Professional and Policy-Related Volunteer Activities

Smith Richardson Foundation: Reviewed research proposals.	2012
Radarami (Tbilisi): Serve on board of public-affairs publishing foundation.	2010–present
Eurasia Foundation, CRRC (Tbilisi): Judged Caucasus Barometer Report competition.	2011
Tbilisi State University: Gave lecture series on U.S. foreign policy.	2011
IREX (Tbilisi): Evaluated applications for Muskie Graduate Fellowship Program.	2010
U.S. Embassy, Tbilisi: Evaluated proposals for University Research Program.	2010
Eurasia Foundation, CRRC (Tbilisi): Taught course on research methods and advised researchers.	2008
Project Harmony (Tbilisi): Served on selection committee for cultural-exchange program.	2008
IREX (Tbilisi): Evaluated applications for Muskie Graduate Fellowship Program.	2007–2008
Rustaveli Foundation for Georgian Studies: Evaluated research proposals (social sciences).	2007–2008
Georgian National Science Foundation: Evaluated research proposals (energy, economics).	2007–2008
American Councils for Int'l Education (Tbilisi): Interviewed for U.S. faculty-fellowships.	2007–2008
Tbilisi State University, OSI Center for Social Sciences: Served on admissions committee.	2007–2008
Eurasia Foundation, CRRC (Tbilisi): Served on research-fellowship selection committee.	2007–2008
Tbilisi State University, OSI Center for Social Sciences: Served on dissertations committee.	2006–2008
Georgian University of Social Sciences: Gave lecture series on U.S. foreign policy.	2006
Tbilisi State University, OSI Center for Social Sciences: Taught course on research methods.	2004–2005
<i>Georgia News Digest</i> : Founder and editor of daily report of Georgia news and analysis.	2003–2008
Pepperdine University School of Public Policy: Guest lecturer and informal thesis advisor.	2003–2006
<i>Journal of Environment and Development</i> : Referee.	2005
<i>The Energy Journal</i> : Referee.	2004
John Kerry for President: Member of Eastern Europe/NIS policy-advisory team.	2004
Truman National Security Project: Founding member of national-security think tank.	2003–2004
Peninsula Rail 2000: Member of public-transit-advocacy group in S.F. Bay area.	1995–1998
Palo Alto Citizens League: Coordinated land-use and traffic-planning issues.	1995–1998
WSRN-FM (Philadelphia) and KFJC-FM (San Jose): Hosted public-affairs talk shows.	1984–1993

## Refereed Journal Papers

“Material support: Counternarcotics vs. counterinsurgency in Afghanistan,” *International Security*, forthcoming [with Mark A.R. Kleiman and Jonathan P. Caulkins].

“Demand-side management and energy efficiency in the United States,” *The Energy Journal*, 25(1):16–

43, 2004 [with David Loughran].

"Preferential concentration of heavy particles in a turbulent channel flow," *Physics of Fluids*, 6(11):3742–3749, 1994 [with John Fessler and John Eaton].

"Particle response and turbulence modification in fully developed channel flow," *Journal of Fluid Mechanics*, 277:109–134, 1994 [with John Fessler and John Eaton].

### **Books and Chapters**

"United States federal drug policy," pp. 51–74 in *Addictive Disorders and Substance Abuse*, Bankole A. Johnson, ed., New York: Springer, 2010 [with Angela Hawken].

"Georgia and the wider Black Sea," pp. 23–52, in *The Wider Black Sea Region in the 21st Century: Strategic, Economic and Energy Perspectives*, Daniel Hamilton and Gerhard Mangott, eds., Washington: Center for Transatlantic Relations, 2008 [with Temuri Yakobashvili].

"The role of the Black Sea region in European energy security," pp. 87–98, in *Europe's Energy Security: Gazprom's Dominance and Caspian Supply Alternatives*, Svante Cornell and Niklas Nilsson, eds., Stockholm: Institute for Security and Development Policy, 2007 [with Temuri Yakobashvili].

*Implications of Modern Decision Science for Military Decision Support Systems*, Santa Monica: RAND, 2005 [with Paul Davis and Michael Egner].

*Driving Emissions to Zero: Are the Benefits of California's Zero Emission Vehicle Program Worth the Costs?*, Santa Monica: RAND, 2002 [with Lloyd Dixon and Isaac Porche].

### **Reports and White Papers**

"Juveniles Under Supervision and Treatment (J.U.S.T.) Court: Implementation, process, and a proposed evaluation plan," Phoenix: Arizona Administrative Office of the Courts, 2012 [with Angela Hawken and David Farabee].

"Survey findings: Syria 2011 public opinion survey," Los Angeles: Democracy Council of California, 2011 [with Angela Hawken, Matthew Leighty, and Jillian Kisse].

"Drug production and trafficking, counterdrug policies, and security and governance in Afghanistan," New York: Center on International Cooperation, 2010 [with Jonathan P. Caulkins and Mark A.R. Kleiman].

"Survey findings: Syria 2010 public opinion survey," Los Angeles: Democracy Council of California, 2010 [with Angela Hawken, Jeremy Grunert, Lindsay Kimbro, and Sabrina Abu-Hamdeh].

"Social relations and governance in Javakheti, Georgia," Brussels: Initiative for Peacebuilding, 2009 [with Eka Metreveli].

"Can Georgia join NATO without solving the conflicts in Abkhazia and South Ossetia?" Black Sea Paper Series, #3, Berlin: German Marshall Fund of the United States, 2007 [with Temuri Yakobashvili].

"SB1953 and the challenge of hospital seismic safety in California," Sacramento: California Healthcare Foundation, 2007 [with Charles Meade].

"Making a tough sell: Options for promoting energy efficiency in new California homes," Santa Monica: RAND, 2004 [with Mark Hanson and Mark Bernstein].

"Modern decision support science suggests new methods and tools to support military decisionmaking," Santa Monica: RAND, 2004 [with Paul Davis and Michael Egner].

"Rethinking support for high-level decisionmaking," Santa Monica: RAND, 2004 [with Paul Davis, Brian M. Jenkins, and John Arquilla].

"Modeling adversaries and related cognitive biases," Santa Monica: RAND, 2003 [with Paul Davis].

"A proposed framework for understanding climate change and conflict," Santa Monica: RAND, 2002 [with Paulette Middleton and Anny Wong].

"Estimating the compliance costs for California SB1953," Sacramento: California Healthcare Foundation, 2002 [with Charles Meade and Richard Hillestad].

"Power to the cities: A homegrown way to recharge California," *RAND Review*, 25(2), 2001 [with Mark Bernstein, Paul Dreyer, and Mark Hanson].

"Load-centered power generation in Burbank, Glendale, and Pasadena: Potential benefits for the cities and for California," Santa Monica: RAND, 2001 [with Mark Bernstein and Paul Dreyer].

"The economic costs and emissions benefits of California's zero-emission vehicle mandate," Santa Monica: RAND, 2000 [with Lloyd Dixon, et al.].

"California Independent Public-Interest Energy Research (PIER) review panel report," Sacramento: California Council on Science and Technology, 2000 [with Jeffrey Drezner].

"On the interactions between particles and turbulence in a fully developed channel flow in air," PhD dissertation, Stanford University, 1993.

### Conference Papers and Symposia

Seven Years After the Rose Revolution: Analyzing the Role(s) of Independent Policy Research, Open Society Institute, Tbilisi, 2010.

Counternarcotics in Afghanistan, U.S. Institute of Peace, Washington, 2010.

Wider Europe-Black Sea Region: Threats, Challenges and Interests, Vienna and Brussels, 2008.

"Georgia's political culture in light of the 2008 elections," Georgia: The Making of a National Culture, Ann Arbor, 2008.

"Civil-service views on leadership in Georgia," Central Eurasian Studies Society, Ann Arbor, 2006 [with Angela Hawken].

"Civil-service views on official corruption in Georgia," Middle East & Central Asia Politics, Economics, and Society, Salt Lake City, 2006 [with Angela Hawken].

"Judgmental bias in decision support for strike operations," Proc. SPIE Vol. 5091, *Enabling Technologies for Simulation Science VII*, Alex F. Sisti and Dawn A. Trevisani, eds., 260-271, 2003 [with Paul Davis].

"Airflow impact on hard-disk-drive design," IEEE/ASME Digests of the Second Asia-Pacific Magnetic Recording Conference, WB-04/1-2, Singapore, 1998.

"Dual-mode cleaning of alternative substrates," Second Conference on Precision Cleaning, Chicago, 1995.

"Preferential concentration of particles by turbulence structures on the centerline of a channel flow," *Proc. American Physical Society Annual Meeting of the Division of Fluid Dynamics*, Albuquerque, 1993 [with John Fessler and John Eaton].

"Turbulence modification by dispersed particles in a fully developed channel flow," *Proc. Ninth Symposium on Turbulent Shear Flows*, Kyoto, 1993 [with John Fessler and John Eaton].

"Particle response to turbulence in a fully developed channel flow," *Proc. American Physical Society Annual Meeting of the Division of Fluid Dynamics*, Tallahassee, 1992 [with John Eaton].

### Op-Eds, Articles, and Interviews

"Think again: The Afghan drug trade," *Foreign Policy*, April 1, 2011 [with Jonathan P. Caulkins and Mark A.R. Kleiman].

"Fighting the drug trade helps the Taliban," *Financial Times*, July 9, 2010 [with Mark A.R. Kleiman and Jonathan P. Caulkins].

Interviews and commentary on Russia-Georgia war: al-Jazeera English, BBC World Service, CBS News, Deutsche Welle, *Globe and Mail*, *Los Angeles Times*, *New York Times*, Pacifica Radio, Polskie Radio, Sky News, *Time*, *USA Today*, and *Washington Post*, August 2008.

"Moscow's vassal and enemy," *Moscow Times*, August 11, 2008.

Interview on Secretary Rice visit, Russia Today TV, Moscow, July 10, 2008.

Interview on Russia-Georgia relations, "Reality Check," FM4 radio, Vienna, June 7, 2008.

"Georgian politics—endless arguments over process," *The Messenger* [Tbilisi], May 22, 2008.

Interview on NATO Summit, Russia Today TV, Moscow, April 5, 2008.

Interview on Georgian presidential election, Alania TV, Tbilisi, January 3, 2008.

"Tbilisi and Washington: The end of the affair?" *Georgia Today* [Tbilisi], November 30, 2007.

Interview on the Rose Revolution legacy, Russia Today TV, Moscow, November 23, 2007.

Interview on electoral-system reforms in Georgia, Russia Today TV, Moscow, October 19, 2007.  
Interview on missile defense and G-8 summit, "Face to Face," First State TV, Tbilisi, June 10, 2007.  
Panelist on energy policy, "Georgia Today," Imedi TV, Tbilisi, March 8, 2007.  
Interview on U.S.-Russia relations, "Face to Face," First State TV, Tbilisi, March 4, 2007.  
"Civil servants' views on corruption, leadership," [in Georgian], *24 Hours* [Tbilisi], January 29, 2007.  
"What Bush's visit means for Georgia," [in Georgian], *24 Hours* [Tbilisi], May 9, 2005.  
Interview on U.S. basing-policy implications, "Morning Show," Rustavi 2 TV, Tbilisi, March 9, 2004.  
Commentary on Iraq War, "Morning Show," Rustavi 2 TV, Tbilisi, March 19–23, 2003.  
"Georgia Train and Equip Program is not salvation," [in Georgian], *24 Hours* [Tbilisi], June 12, 2002.  
Interview on U.S. military train-and-equip programs, "Time Out," First State TV, Tbilisi, June 8, 2002.

## Jackie Leigh

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### Professional Experience:

#### **ALL Consulting, Boulder, CO**

*Entrepreneur*

06/08 – Present

- Began management and operations company in Boulder, CO
- Grew to manage six locations with \$3 million in annual gross revenues
- Served on City of Denver, Colorado Department of Public Health and Environment and Colorado Department of Revenue workgroups to develop rules surrounding new legislation impacting managed businesses
- Sold LLC in June 2012

#### **Brisa North America/Northwest Parkway LLC, Broomfield, CO**

*Finance Director*

11/07 – 04/09

- Led administrative transition from public ownership and management of a 44 lane toll road to a private lease operation; responsible for oversight and management of all administrative areas
- Advised new foreign management of the operating environment including economic development issues, the political atmosphere and employee and contractor relations assisting a smooth entry to the US market
- Implemented corporate directives with vendors, contractors and employees; responsible for communicating the organization's goals and adapting existing relationships to achieve those goals
- Initiated review of all departments to assess operating deficiencies and recommending structural changes to address these issues; focused on streamlining processes to focus on efficiency and cost reduction
- Led loan development for borrower focused on ease of debt management; effectively managing debt and equity portfolio over \$500 million ensuring compliance with all operating terms and covenants

#### **Northwest Parkway Public Highway Authority, Broomfield, CO -**

*Concession Manager*

09/06 – 11/07

- Successfully assisted executive director in the privatization of a toll road valued at \$550 million securing a final deal valued at \$603 million; coordinated staff and advisor efforts
- As a productive negotiating team member, identified value drivers, crucial details and previous discussion points; displayed competencies by summarizing and reiterating complex issues during negotiations
- Cultivated professional, friendly bidder and stakeholder relationships throughout the procurement process providing the opportunity to advise the executive director and board on underlying issues
- Served as a trusted liaison to Authority staff and board member's staff regarding the concession process by providing information and explanation of deal terms including impacts to jurisdictions, financial and operational implications
- Effectively managed procurement administration including financial modeling, due diligence, data room management, RFQ/RFP development, submittal reviews; led efficient meetings with a team comprised of staff, investment bankers, financial and technical advisors, bond insurers and general and special counsels

*Finance Manager*

01/04 – 11/07

- Responsible for the management of all administrative areas including debt and treasury management, budgeting, accounting, audit, internal and external financial reporting, HR and risk management
- Successfully managed revenue bond issuance for a public highway authority (Colorado enterprise); coordinated issuance working groups including financial advisors, investment bankers, tax, bond and general counsel; created and maintained good working relationships with bond insurers and rating agencies

- Managed tender analysis and defeasance process related to the concession deal; coordinated with financial advisors, trustee and tax and bond counsel related to the financial, technical and legal issues of defeasance
- Responsible for annual cost effective budget development and oversight of expenditures for an operating budget of \$7 million and a capital budget of \$60 million; forecasted traffic and revenue based on historical data and integrated results with third-party traffic and revenue studies

**Management/Organizational Skills:**

- Excellent written and oral communication skills; practiced in communicating complex financial and operational issues to executive board members, staff, investors, rating agencies, bond insurers, reporters and the public
- Capable of successfully handling multiple responsibilities in several departments and functional areas, particularly during high pressure periods
- Supervisory experience in a goal driven organization; able to effectively prioritize and delegate duties based on employee skill level; effective as a liaison and mediator between lower level employees and executive management
- Successful at leading and managing projects with internal and external team members achieving organizational goals; able to quickly develop and effectively maintain strong working relationships with internal and external advisors and stakeholders

**Technology/Software Skills:**

- Strong working knowledge of Microsoft applications – certified in Microsoft Project, Microsoft Excel
- Able to quickly learn and effectively utilize new applications
- Experience with custom industry applications including proprietary toll system software

**Education:**

University of Denver, Denver, CO 80232  
*Master of Business Administration*

Bradley University, Peoria, IL 61625  
*Bachelor of Science*

**Professional References:**

Jerry Braden – Jerry Braden, Inc. – 303-880-6749

Matt Cook – Former Director of Enforcement, Colorado Department of Revenue – 303-949-8639

Stephen Hogan - Mayor, City of Aurora, Colorado – 303-601-1859

Erin Smith – Special District Attorney – 303-292-6400



**CURRICULUM VITA**  
**December 2012**

**Glenn Cartman Loury**  
**Department of Economics**  
**Brown University**  
**Box B, 64 Waterman Street**  
**Providence, RI 02912**  
**ph: 401-863-2606 ; email: glenn\_loury@brown.edu**

EDUCATION:

B.A., Mathematics, Northwestern University, 1972  
Ph.D., Economics, Massachusetts Institute of Technology, 1976  
Thesis: "Essays in the Theory of the Distribution of Income"

EMPLOYMENT:

Brown University, Merton P. Stoltz Professor of the Social Sciences, Professor of Economics and Professor of Public Policy, 2005-

Boston University, Professor of Economics 1991-2005; University Professor 1994-2005; Founder and Director of the Institute on Race and Social Division, 1997-2003

Harvard University, Professor of Political Economy, John F. Kennedy School of Government, 1984-91, Professor of Economics and of Afro-American Studies, 1982-84

University of Michigan, Professor of Economics, 1980-82, Associate Professor of Economics, 1979-80

Northwestern University, Assistant Professor of Economics, 1976-79

PUBLICATIONS:

**I. Academic Publications:**

"The Superficial Morality of Color-Blindness: Why Equal Opportunity May Not Be Enough," *American Economic Review Proceedings* (forthcoming May 2013)

"Obama Is No King: The Fracturing of the Black Prophetic Tradition," a chapter in *The New Black: What Has Changed – and What Has Not – with Race in America*, Guy Charles and Kenneth Mack (eds.), forthcoming from The New Press, 2013.

"Group Inequality," accepted for publication and forthcoming in the *Journal of the European Economics Association* (with Samuel Bowles and Rajiv Sethi)

"Valuing Diversity: Simple Economics of Affirmative Action Policies," accepted for publication subject to minor revisions, *Journal of Political Economy* (with Roland Fryer)

"Social Externalities, Overlap and the Poverty Trap," accepted for publication subject to minor revisions, *Journal of Economic Inequality* (with Young Chul Kim)

"Stereotypes and Inequality: A 'Signaling' Theory of Identity Choice," *KDI Journal of Economic Policy*, Vol. 34, No. 2, 2012 (with Young Chul Kim)

*The Challenge of Mass Incarceration* (co-editor), American Academy of Arts and Sciences, *Daedalus Special Issue* (co-edited volume with Bruce Western) Summer 2010

Co-author of the "Introduction" (with Bruce Western)

Author of "Crime, Inequality and Social Justice" (closing essay of special issue)

"Democracy and the Choosing of Elites," in *The Next Twenty-Five Years* (Paul Courant, David Featherman and James Levinsohn, eds.) University of Michigan Press in 2009

*Race, Incarceration and American Values: The Tanner Lectures*, M.I.T. Press 2008

"Color-Blind Affirmative Action," *Journal of Law, Economics and Organization*, (with Roland Fryer and Tolga Yuret), 2008

"Trans-Generational Justice: Compensatory vs. Interpretative Approaches," in *Reparations*, Jon Miller (ed.), Oxford University Press (2006)

"Racial Stigma: Toward a New Paradigm for Discrimination Theory," Chp. 27 in *Understanding Poverty*, A. Banerjee, R. Benabou and D. Mookherjee (eds.), Oxford University Press (Fall 2005)

"Affirmative Action and Its Mythology" (with Roland Fryer), *Journal of Economic Perspectives* (Summer 2005)

"The Anatomy of Racial Inequality: The Author's Account," *The Review of Black Political Economy*, 32 (2): 75-89 (Summer 2005)

"Affirmative Action in Winner-Take-All Markets," (with Roland Fryer) *Journal of Economic Inequality* (Fall 2005)

"Dysfunctional Identities' Can Be Rational," (with Hanming Fang) *American Economic Review Proceedings*, 95(2):104-111 (May 2005)

"Toward an Economic Theory of Dysfunctional Identity" (with Hanming Fang), Chp. 2 in Chris Barrett (ed.), *The Social Economics of Poverty: On Identity, Communities, Groups and Networks*, Routledge (Spring 2005)

*Ethnicity, Social Mobility and Public Policy* (co-editor with Tariq Modood and Steven Teles), Cambridge University Press (Spring 2005)

"Race, Inequality and Justice in the United States: Some Social-Philosophic Reflections," Chp. 20 in Loury, Teles and Modood (eds.), *Ethnicity, Social Mobility and Public Policy* Cambridge University Press. (2005).

"Distribution of Ability and Earnings in a Hierarchical Job Assignment Model," *Journal of Political Economy*, 112(6):1322-64 (with Robert Costrell). (December 2004)

"The Anatomy of Racial Inequality: A Clarification," in *Race, Liberalism and Economics*, David Colander, Robert Prasch and Falguni Sheth (editors), pp. 238-255, University of Michigan Press (2004)

"Racial Justice: The Superficial Morality of Colour-Blindness in the United States." *Identity, Conflict and Cohesion Programme Paper*, United Nations Research Institute for Social Development, Geneva, Switzerland (Spring 2004)

"Relations before Transactions," first Moffett '29 Lecture on Ethics, University Center for Human Values, Princeton University, November 6, 2003

"What Price Diversity?" second Moffett '29 Lecture on Ethics, University Center for Human Values, Princeton University, Nov. 7, 2003

"Racial Stigma: Towards a New Paradigm for Discrimination Theory," *American Economic Review Proceedings*, 93(2):334-37, May 2003

"Passing Strict Scrutiny: Using Social Science to Design Affirmative Action Programs," (with Clark Cunningham and John Skrentny), *Georgetown Law Journal*, 90:4 (April 2002), pp 835-882

*The Anatomy of Racial Inequality* (The W.E.B. DuBois Lectures at Harvard University), Harvard University Press, 2002

"Social Exclusion and Ethnic Groups: The Challenge to Economics," *The Annual World Bank Conference on Development Economics 1999*, Boris Pleskovic and Joseph E. Stiglitz (eds.), The World Bank, Washington, D.C., 2000, pp. 225-54

"Conceptual Problems in the Enforcement of Anti-Discrimination Laws," *Meritocracy and Economic Inequality*, Kenneth Arrow, Samuel Bowles, and Steven Durlauf (eds.), Princeton University Press, 2000, pp. 296-316.

"Integrating the Historically Disadvantaged into the World of Work," in *The Right to Work: Towards Full Employment*, M. Archer and E. Malinvaud (eds.), Pontificiae Academiae Scientiarum Socialium Acta (Pontifical Academy of Social Sciences), Vatican City, 1998, pp. 189-261

"Discrimination in the Post-Civil Rights Era: Beyond Market Interactions," *Journal of Economic Perspectives*, Spring 1998, 12 (2), 117-126

"Human Intelligence and Social Inequality," in *Is There a Human Nature?*, Lee Rouner (ed.), University of Notre Dame Press (1998), 113-129.

"The Divided Society and the Democratic Idea," University Lecture, Boston University, 1996.

*One by One, From the Inside Out: Essays and Reviews on Race and Responsibility in America*, The Free Press 1995 (collected writings, 1985-1994)

"Self-Censorship in Public Discourse: A Theory of 'Political Correctness' and Related Phenomena," *Rationality and Society*, Oct. 1994, pp. 428-461.

"Rotating Savings and Credit Associations, Credit Markets and Economic Efficiency," *The Review of Economic Studies*, October 1994, pp. 701-19 (with Steven Coate and Timothy Besley).

"Will Affirmative Action Policies Eliminate Negative Stereotypes," *American Economic Review*, December 1993, pp. 1220-40 (with Steven Coate).

"The Economics of Rotating Savings and Credit Associations," American Economic Review, September 1993, pp.792-810 (with Steven Coate and Timothy Besley).

"Anti-Discrimination Enforcement and the Problem of Patronization," American Economic Review, May 1993 (with Steven Coate), pp. 92-98.

"The Incentive Effects of Affirmative Action," Annals of the Amer. Assoc. of Political and Social Science, No. 523, (September, 1992), pp. 19-29.

"Tacit Collusion in a Dynamic Duopoly with Indivisible Production and Cumulative Capacity Constraints," WP#557, Dept. Economics, Massachusetts Institute of Technology (June 1990)

"Affirmative Action: Is It Just? Does It Work?" in *The Constitutional Bases of Political and Social Change in the United States*, Shlomo Slonim (ed), Praeger (1990), pp. 109-139.

"To Tell the Truth? Self-Censorship and Public Discourse with Particular Reference to the Problem of Political Discourse among African-Americans," paper presented at Annual Meetings of the National Economics Assn., Chicago, Ill. (December 1987)

"Why Should We Care About Group Inequality?", Social Philosophy and Policy, Vol. 5, No.1; Autumn 1987, pp. 249-271. [Reprinted in *The Question of Discrimination*, Steven Shulman and William Darity (eds.), Wesleyan University Press (1989), Chp. 9, pp. 268-290. Also reprinted in *Philosophical Problems of Equality*, The Open University Press (1993)].

*From Children to Citizens: Vol. 3, Families, Schools and Delinquency Prevention* (edited vol.), Springer-Verlag, 1987 (with James Q. Wilson).

"The Family as Context for Delinquency Prevention: Demographic Trends and Political Realities," in G.C. Loury and J.Q. Wilson (eds.), *From Children to Citizens: Families, Schools, and Delinquency Prevention*, Springer-Verlag, 1987, pp. 3-26.

"Race and Poverty: The Problem of Dependency in a Pluralistic Society," paper prepared for the Working Seminar on the Family and American Welfare Policy, American Enterprise Institute, Washington D.C., November 1986

"Public and Private Responsibilities in the Struggle Against Poverty," in W. Knowlton and R. Zeckhauser (eds.), *American Society, Public and Private Responsibilities*, Ballinger, 1986, pp. 181-202.

"On the Profitability of Interruptible Supply" (with Tracy Lewis), American Economic Review, vol. 76, No.4, September 1986, 827-832.

"The Limitation of Pigouvian Taxes as a Long Run Remedy for Externalities: An Extension of Results" (with Dennis Carlton), Quarterly Journal of Economics, No. 406, August 1986, pp. 631-634.

"The Effect of Attitudes and Aspirations on the Labor Supply of Young Men" (with Linda Datcher-Loury), in R. Freeman and Harry Holzer (eds.), *The Black Youth Unemployment Crisis*, University of Chicago Press, 1986, pp. 377-401.

"A Theory of 'Oil'igopoly: Cournot Equilibrium in Exhaustible Resource Markets," International Economic Review, June 1986, pp. 285-301.

"The Black Family: A Critical Challenge," The Journal of Family and Culture, Vol. 2, No. 1, January 1986, pp. 1-15.

"Embargo Threats and the Management of Emergency Reserves" (with C. Bergstrom and M. Perrson), Journal of Political Economy, Feb 1985, pp. 26-42.

"Efficiency and Equity Impacts of Natural Gas Deregulation," Chapter 13 of *Public Expenditure and Policy Analysis*, R. Haveman, J. Margolis (eds.), Third Edition, Houghton Mifflin Co., 1983, pp. 301-323.

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2. "A Dynamic Theory of Statistical Discrimination," (draft under review, with Young Chul Kim)
3. "Endogenous Hierarchies under Representational Concerns," (draft, currently under review, with Debipriya Chatterjee, Univ. of Wisconsin, Milwaukee)
4. *The Economics of Affirmative Action Policies*, book project (contract with Princeton Univ. Press)
5. *The Economics of Group Inequality*, book project underway with Rajiv Sethi, Barnard College.
6. "Superficial Justice: The False Ideal of 'Color-Blindness' in South Africa and the USA," (draft, with Dr. Patricia Agupusi, PSTC post-doctoral fellow, Brown Univ.)

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"Internally Directed for Action for Black Community Development," Review of Black Political Economy, Summer/Fall 1984.

"Black Leadership: Two Lectures in the W. Arthur Lewis Lecture Series" (with Bernard Anderson), PURRC Reprint, Princeton Urban and Regional Research Center, Woodrow Wilson School, Princeton University, 1984.

"On the Need for Moral Leadership in the Black Community," New Perspectives (U.S. Civil Rights Commission), Vol. 16, No. 1, Summer 1984.

"Redirecting Priorities to Help the Black Underclass," Point of View (Congressional Black Caucus Research Foundation), Summer 1984.

"Of Economic Winners and Losers," Economic Perspectives Column, Black Enterprise Magazine, May 1984.

"To Prevent Racial Strife Reagan Must Appeal to Blacks," Point of View (Congressional Black Caucus Research Foundation), Winter 1984.

"Responsibility and Race," Vital Speeches of the Day, Vol. XLIX, No. 13, April 1983. [Reprinted in Lincoln Review, Vol. 4, No. 2, Fall 1983].

"Black Survival in America," Critical Perspectives of Third World America, Vol. 1, Fall 1983.

"Black Survival in America," Economic Perspectives Column, Black Enterprise Magazine, May 1983.

## V. OTHER PROFESSIONAL ACTIVITIES:

Boards, Journals and Committees:

- (1) Editorial Board, The Boston Review
- (2) Editorial Advisory Board, First Things
- (3) Host of The Glenn Show at [www.bloggingleads.tv](http://www.bloggingleads.tv) (online video conversations with guests from academia, journalism & public affairs discussing economic/political issues.)
- (4) Member, "Committee on the Causes and Consequences of High Rates of Incarceration," National Research Council, National Academy of Science
- (5) Advisory Committee, *Center for the Study of Slavery and Justice*, Brown University

Visiting scholar and lecturer appointments:

Institute of Economics and Statistics, Oxford (1979); Department of Economics, Tel-Aviv Univ. (1980); Department of Economics, Stockholm Univ. (1982); Institute for Advanced Study, Princeton, NJ (1985-86); Department of Economics, M.I.T. (1989-90); conference on a new South African constitution, Johannesburg, SA, August 1992; Delhi School of Economics, (1994); Institute for Public Affairs, Melbourne, Australia (1995); Institute for Human Sciences, Vienna (1999); Notre Dame University, Pew Younger Scholars Program (2000); Visiting Professor of Economics, Columbia University (2010-11)



**Selected Testimonies:**

Before Labor Committee, U.S. Senate, February 1990 (on the Civil Rights Act of 1990); before the Sub-committee on Human Resources of the Committee on Ways and Means, U.S. House of Representatives, January 20, 1995 (on welfare reform); before the Subcommittee on the Constitution, Committee on the Judiciary, U.S. House of Representatives, December 7, 1995 (on affirmative action); before the Pontifical Academy of Social Sciences, Vatican, April 24, 1997 (on incorporating disadvantaged populations into the world of work); before the U.N. Institute for Social Research and Development, at the World Conference Against Racism, Durban, South Africa, September 2001; before the Joint Economic Committee of US Congress, October 2007 (on the economics of mass incarceration).

**VI. HONORS AND AWARDS****(A) Membership in Honorary Academic and Professional Societies:**

*Elected Member*, the American Philosophical Society, 2011-  
*Elected Fellow*, the American Academy of Arts and Sciences, 2000-  
*Elected Member*, the Council of Foreign Relations, 1999-  
*Elected Fellow*, the Econometric Society, 1994-  
*Appointed Member*, the Committee on Law and Justice, National Academy of Sciences, 2009-

**(B) Distinguished Invited Academic Lectures:**

- (1) *Tanner Lectures on Human Values* (April 2007), Stanford University, "Racial Stigma, Mass Incarceration and American Values," (Lecture 1 and commentaries published by MIT Press):  
 Lecture 1: "Ghettos, Prisons and Racial Stigma"  
 Lecture 2: "Social Identity and the Ethics of Punishment"
- (2) *James A. Moffett '29 Lectures in Ethics*, Princeton Univ., November 2003:  
 Lecture 1: "Relations before Transactions: Toward a new paradigm for discrimination theory."  
 Lecture 2: "What Price Diversity? The economics and the ethics of categorical redistribution."
- (3) *W.E.B. DuBois Lectures in African American Studies*, Harvard University, April 2000:  
 Lecture 1: "Racial Stereotypes: Information, incentives and group reputations."  
 Lecture 2: "Racial Stigma: Virtual versus actual social identities"  
 Lecture 3: "Racial Justice: The Superficial Morality of Color-Blindness."
- (4) *University Lecture*, Boston University, 1996: "The Divided Society and the Democratic Idea"
- (5) *Bradley Lecture*, American Enterprise Institute, Washington DC:  
 1992 Lecture, "Two Paths to Black Progress: Booker T. Washington v. W.E.B. DuBois"  
 1994 Lecture, "Self-Censorship and Public Discourse: A Theory of Political Correctness"

**(C) Other Honors and Awards:**

- (14) *Elected President* of the Eastern Economics Association, 2013
- (13) *Listed*, *Playboy Magazine's* "20 most influential and imaginative" college professors, 2010
- (12) *Recipient*, Honorary Doctorate Degree, Tuskegee University, 2008
- (11) *Recipient*, The "John von Neumann Award," Budapest University, Hungary, 2005
- (10) *Appointed*, The Merton P. Stoltz Professor of the Social Sciences, Brown University, Sep. 2005
- (9) *Elected Vice-President* of the American Economics Association, 1997
- (8) *Listed*, Templeton Honor Roll for Education in a Free Society, 1997-98
- (7) *Winner* 1996 American Book Award and *Christianity Today* Book Award (for my collection

- One by One, From the Inside Out: Essays and Reviews on Race and Responsibility in America*)
- (6) *Winner* 1994 "Simon Rockower Award for Excellence in Jewish Journalism" (for my essay, "The Alliance is Over: Black-Jewish Relations in the Nineties," *Moment Magazine*, June 1994)
  - (5) *Winner*, John Simon Guggenheim Fellowship, 1985-86
  - (4) *Winner*, Carnegie Endowment Scholarship, 2000-2001
  - (3) *Winner*, Leavey Award for Excellence in Free Enterprise Education, 1986
  - (2) *Listed*, Esquire Register, "Men and Women Under 40 Who Are Changing the Nation," 1986-87
  - (1) *Listed*, National Journal, "150 Who Are Making a Difference" (in national politics) 1986

## ROBERT J. MacCOUN

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### EDUCATION

NIMH Postdoctoral Fellowship, 1984-1986, Northwestern University  
Ph.D., Psychology (Social), 1984, Michigan State University  
M.A., Psychology (Social), 1983, Michigan State University  
B.A., Psychology, 1980, Kalamazoo College

### PROFESSIONAL EXPERIENCE

2012—Visiting Professor, School of Law, Stanford University  
1999-present--Professor of Law, UC Berkeley School of Law, Jurisprudence and Social Policy Program,  
University of California at Berkeley  
1998-present--Professor of Public Policy, The Goldman School of Public Policy, University of California at  
Berkeley (Affiliated Professor, Department of Psychology)  
1999--Visiting Professor, Woodrow Wilson School of Public and International Affairs, Princeton University  
(created and cotaught *Psychology and Public Policy* course with Daniel Kahneman & Eldar Shafir)  
1995-1998--Associate Professor, The Goldman School of Public Policy, UC Berkeley  
1993-1995--Assistant Professor, Graduate School of Public Policy, UC Berkeley  
1993-present--Consultant, The RAND Corporation, Santa Monica, California  
1986-1993--Behavioral Scientist, Social Policy Department, The RAND Corporation; staff member, Institute for  
Civil Justice, Drug Policy Research Center; faculty member, RAND Graduate School of Policy Studies  
1984-1986--NIMH Postdoctoral Fellow and Instructor; Northwestern University  
1984--Instructor, Kalamazoo College and Michigan State University

### RESEARCH INTERESTS

- Social control of risky &/or illegal conduct (especially drug use and drug dealing)
- Judgment and decision making by individuals and groups (especially juries)
- Public perceptions of fairness, accuracy, and efficiency of legal and political institutions
- Bias and politics in the conduct and use of policy-relevant research

### TEACHING INTERESTS

- Psychology and Law
- Psychology and Public Policy Analysis
- Research Design and Data Collection
- Drug, Tobacco, and Alcohol Policy
- Risk and Uncertainty in Public Policy

**HONORS**

- 2011 Best Paper Award for Managerial and Organizational Cognition, The Academy of Management.
- 2008 Raymond Vernon Memorial Prize for Best Article in *J. Policy Analysis and Management*.
- Elected Fellow, Society for Psychological Science (formerly the American Psychological Society), 2004.
- Selected by students as Faculty Speaker at Goldman School of Public Policy MPP graduation ceremonies in 1996, 1997, 2000, and 2002.
- 1996 Distinguished Wellness Lecturer, The California Wellness Foundation/University of California.
- Edwin E. Huddleson, Jr. Outstanding Teacher Award, RAND Graduate School of Policy Studies (25th Anniversary Graduation Ceremony), 15 July 1995.
- Elected to the Society for Experimental Social Psychology, 1992.
- President's Award, RAND, 1992.
- NIMH Research Service Award, Northwestern University, 1984-1986.
- The Marshall Hallock Brenner Prize, Kalamazoo College, 1979.

**MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS**

Association for Psychological Science (APS), American Psychological Association (APA), Association for Public Policy Analysis and Management (APPAM), Law and Society Association (L&SA), American Psychology-Law Society (APLS)

**PROFESSIONAL SERVICE (partial list)**

- 2011: Brief amici curiae of 9 behavioral scientists on behalf of the plaintiff in *Mohammed Saleh et al. v. Federal Bureau of Prisons* (on procedural justice in federal prisons). U.S. Court of Appeals for the Tenth Circuit.
- 2010: Pro bono expert witness for the plaintiffs in *Log Cabin Republicans v. USA*. (Challenge to the constitutionality of the Don't Ask, Don't Tell policy toward gays and lesbians in the US military.) U.S. District Court for the Central District of California, Riverside, 16 July 2010.
- 2009: Brief amici curiae of Abramson et al in Support of Petitioner, *Scott David Bowen v. State of Oregon*, U.S. Supreme Court, Docket No. 08-1117 (on the use of non-unanimous criminal juries).
- 2008-2011 Faculty Advisory Board, *Berkeley Center for Criminal Justice*
- 2008-present: Member, Editorial Board, *Law & Society Review*.
- 2008—Brief amici curiae of Social Science Academics and Associations in Support of Plaintiffs-Appellees, *Katherine Varnum v. Timothy O'Brien*, Supreme Court of Iowa, Case No. 07-1499 (on methodological problems in evidence on alleged harms of gay marriage).
- 2006-present: Member, Editorial Board, *Law & Human Behavior*.
- 2006: Brief amici curiae of American Sociological Association and Social Science Professors in *Cook et al. v. Rumsfeld et al.*, U.S. Court of Appeals for the First Circuit, Docket No. 06-2313.
- 2006: Brief amici curiae of Neil Vidmar et al., *Philip Morris USA, Petitioner v. Mayola Williams*, U.S. Supreme Court, Docket No. 05-1256 (on punitive damages).
- 2005-2011: Editorial Board, *Law and Social Inquiry*.
- 2004: External Review (with E. Posner and T. Eisenberg) of the Institute for Civil Justice, for the Office of Quality Assurance, RAND, Santa Monica, California.
- 2004-present: Member, Advisory Board, *Physicians and Lawyers for National Drug Policy*.
- 2003-2007: Chair, *Police Review Board*, University of California at Berkeley.
- 2002-2004: Consultant to Committee on Vaccines Against Drugs of Addiction, National Academy of Science (National Research Council and Institute of Medicine).
- 2002-present: Editorial Advisory Board, *Journal of Empirical Legal Studies*.
- 2002-present: Member, Advisory Board, Berkeley Center for the Development of Peace and Well-Being.
- 2001: Consultant, Los Angeles Superior Court, on increasing jury service participation rates.
- 1999-2002: Member, Advisory Committee, Hung Jury Project, National Center for State Courts.
- 1999: Brief amici curiae of Neil Vidmar et al., *Kuhmo Tire Company v. Carmichael*, U.S. Supreme Court.
- 1998-2002: Member, Committee on Data and Research for Policy on Illegal Drugs, National Academy of Sciences (chair, Subcommittee on Treatment and Prevention Evaluation). Produced two reports:

- Manski, C., Pepper, J., & Petrie, C. (eds.) (2001). *Informing America's policy on illegal drugs: what we don't know keeps hurting us* (<http://www.nap.edu/books/0309072735/html/>).
- Manski, C., Pepper, J., & Thomas, Y. (eds.) (1999). *Assessment of two cost-effectiveness studies on cocaine control policy*.

1998-2003: Member, Editorial Advisory Board, *Law & Society Review*.

1996-2002: Member, Editorial Board, *Drug Policy Analysis Bulletin*, Fed. of American Scientists.

1995-2000: Inaugural member, National Consortium on Violence Research.

1995: Consultant to the Ninth Federal Judicial Circuit Task Force on Racial, Ethnic, and Religious Bias.

1993: Pro bono expert witness for the ACLU in *Jane Able et al. v. USA* (re: "Don't Ask, Don't Tell").

1989-1993: Member, Human Subjects Protection Committee, RAND.

Ad-hoc reviewer for American Association for Justice; American Psychology-Law Society; Aspen Institute; California Policy Seminar; Conference on Empirical Legal Studies; Institute of Medicine; National Research Council; National Science Foundation; Public Policy Institute of California; RAND; Urban Institute; Cambridge University Press; Harvard University Press; MIT Press; Oxford University Press; Princeton University Press; Sage Publications; Arizona State University; Cornell University; Duke University; Harvard University; Northwestern University; University of San Francisco; Texas A&M University; University of California at Davis; University of California at Irvine; University of California at San Diego; University of Chicago; University of Wisconsin at Madison; *Addiction*; *Administrative Science Quarterly*; *American Psychologist*; *American Political Science Review*; *American Sociological Review*; *Basic and Applied Social Psychology*; *Behavioral Sciences and the Law*; *Contemporary Drug Problems*; *Experimental and Clinical Psychopharmacology*; *Crime & Delinquency*; *Criminology*; *Drug & Alcohol Review*; *Group Processes and Intergroup Relations*; *Journal of Applied Psychology*; *Journal of Applied Social Psychology*; *Journal of Comparative Policy Analysis*; *Journal of Drug Policy Analysis*; *Journal of Early Adolescence*; *Journal of Economic Behavior and Organization*; *Journal of Empirical Legal Studies*; *Journal of Experimental Psychology: Applied*; *Journal of Personality and Social Psychology*; *Journal of Political Economy*; *Journal of Policy Analysis and Management*; *Journal of Quantitative Criminology*; *Journal of Research in Crime and Delinquency*; *Justice System Journal*; *Law and Human Behavior*; *Law and Policy*; *Law and Social Inquiry*; *Law and Society Review*; *Personality and Social Psychology Bulletin*; *Perspectives on Psychological Science*; *Political Psychology*; *Proceedings of the National Academy of Science*; *Psychological Review*; *Psychological Science*; *Punishment & Society*; *Regulation & Governance*; *Review of Law and Economics*; *Sex Roles*; *Social Problems*.

## **PUBLICATIONS (many are available on-line at <http://conium.org/~maccoun/>)**

### **Books and Monographs**

MacCoun, R., & Reuter, P. (2001). *Drug war heresies: Learning from other vices, times, and places*. Cambridge University Press. [Details and reviews at [socrates.berkeley.edu/~maccoun/DWH.html](http://socrates.berkeley.edu/~maccoun/DWH.html)]

Over 20 reviews including *The Nation*, *The Public Interest*, *J. Economic Literature*, *British Medical Journal*, *JPAM*, *Addiction*, *British J. Criminology*, *Contemporary Sociology*, *Drug & Alcohol Review*, *J. Public Health Policy*, *Governance*, *J. Sociology & Social Welfare*, *Contents*, *World Health Organization*.

Reuter, P., Falco, M., & MacCoun, R. J. (1993). *Comparing Western European and North American drug policies: An international conference report*. Santa Monica, CA: RAND. (Externally reviewed 31-page publication.)

National Defense Research Institute (1993). *Sexual orientation and U.S. military personnel policy: Policy options and assessment*. Santa Monica, CA: RAND. (Collective authorship; RAND working group's report to the Secretary of Defense.)

Excerpts from executive summary reprinted in *Harpers* magazine, November 1993, 26-27.

- Hensler, D., Marquis, S., Abrahamse, A., Berry S., Ebener, P., Lewis, E., Lind, A., MacCoun, R., Manning, W., Rogowski, J., & Vaiana, M. (1991). *Compensation for accidental injuries in the United States*. (Externally reviewed 210-page monograph). Santa Monica, CA: RAND.
- Hensler, D., Marquis, S., Abrahamse, A., Berry S., Ebener, P., Lewis, E., Lind, A., MacCoun, R., Manning, W., Rogowski, J., & Vaiana, M. (1991). *Compensation for accidental injuries: Research design and methods*. (Externally reviewed 50-page paper). Santa Monica, CA: RAND.
- Reuter, P., MacCoun, R. J., and Murphy, P. (1990). *Money from crime: A study of the economics of drug dealing in Washington, D.C.* Santa Monica, CA: RAND. (Externally reviewed 172-page monograph).
- Lind, E. A., MacCoun, R. J., Ebener, P. A., Felstiner, W. L. F., Hensler, D. R., Resnick, J., & Tyler, T. R. (1989). *The perception of justice: Tort litigants' views of trials, court-annexed arbitration, and judicial settlement conferences*. Santa Monica, CA: RAND. (Externally reviewed 93-page monograph.)
- MacCoun, R. J., Lind, E. A., Hensler, D. R., Bryant, D. L., & Ebener, P. (1988). *Alternative adjudication: An evaluation of the New Jersey automobile arbitration program*. Santa Monica, CA: RAND. (Externally reviewed 134-page monograph.)
- Executive summary reprinted in J. Monahan and L. Walker (Eds.) (1990), *Social science in law: Cases and materials* (2nd ed., pp. 496-500). Westbury, NY: The Foundation Press, Inc.
- Executive summary reprinted in J. Monahan and L. Walker (Eds.) (1994), *Social science in law: Cases and materials* (3rd ed., pp. 587-591). Westbury, NY: The Foundation Press, Inc.

#### **Newspaper and Magazine Essays**

- Reuter, P., & MacCoun, R. J. (2007, November/December). Invited comment on Ethan Nadelmann's "Think again: Drugs." *Foreign Policy*, pp. 4-5.
- MacCoun, R. (2003, 11 June). O cannabis! Pot decriminalization in Canada highlights America's isolation. *San Francisco Chronicle*, A27.
- MacCoun, R. J., & Reuter, P. (2002). Marijuana, heroin, and cocaine: The war on drugs may be a disaster, but do we really want a legalized peace? *The American Prospect*, 13(30), 25-28.
- MacCoun, R. J., & Schlossman, S. (2000, January 3). What's germane is a soldier's behavior. (Essay on RAND's proposed alternative to "Don't Ask, Don't Tell" policy.) *Los Angeles Times*, National Edition, A13.
- MacCoun, R., & Reuter, P. (1999). Does Europe do it better? Lessons from Holland, Britain, and Switzerland. *The Nation*, 269, September 20<sup>th</sup>, 28-30.
- Reprinted in *Crossroads: Readings in social psychology* (Pearson, 2000).
- Reprinted in *Solutions to social problems: Lessons from other societies* (Allyn & Bacon, 2000).
- Reprinted in *World regions and places: A reader*, 3<sup>rd</sup> ed. (Pearson, 2001).
- Reprinted in L. E. Huggins (ed.), *Drug war deadlock: The policy battle continues* (Hoover Institution Press, 2005).
- Reprinted in *Solutions to social problems: Lessons from other societies*, 4<sup>th</sup> ed. (Allyn & Bacon, 2006).

#### **Manuscripts Under Review, Working Drafts, and Manuscripts in Preparation**

- Sah, S., Moore, D., & MacCoun, R. (under editorial review). *Cheap talk and credibility: The consequences of confidence and accuracy on advisor credibility and persuasiveness*. (Received the Best Paper Award, MOC Division, Academy of Management, August 2011, San Antonio, TX)

Braver, S. L., Ellman, I. M., & MacCoun, R. J. (working draft). *Public intuitions about fair child support allocations: converging evidence for an "ability to contribute" rule*.  
[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2110376](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2110376)

MacCoun, R. J. (in preparation). *Are groups more or less biased than their members?*

#### **Scholarly Articles, Chapters, and Essays**

MacCoun, R. J., & Martin, K. (in press). Legal issues: Public opinion. *The International Encyclopedia of Social and Behavioral Sciences* (2nd Edition). Elsevier.

MacCoun, R. J. (in press). The paths not (yet) taken: Lower risk alternatives to full market legalization of cannabis. To appear in K. Tate, J. L. Taylor, & M. Q. Sawyer (eds.), *Something's in the air: Race and the legalization of marijuana*. Routledge.

Kerr, N. L., & MacCoun, R. J. (2012). Is the leniency asymmetry really dead? Misinterpreting asymmetry effects in criminal jury deliberation. *Group Processes and Intergroup Relations*, 15, 585-602.

MacCoun, R. J. (2012). Moral outrage and opposition to harm reduction. Symposium on Vice Law and Philosophy, *Criminal Law & Philosophy*.

MacCoun, R. J. (2012). The volatility of social influence when everyone is your neighbor. *Policy Notes*, Spring 2012, 8-9.

MacCoun, R. J. (2012). The burden of social proof: Shared thresholds and social influence. *Psychological Review*, 119, 345-372.

Caulkins, J. P., Kilmer, B., MacCoun, R. J., Pacula, R. L., & Reuter, P. (2012). Design considerations for legalizing cannabis. *Addiction*, 107, 865-871.

Caulkins, J. P., Kilmer, B., MacCoun, R. J., Pacula, R. L., & Reuter, P. (2012). Response to commentaries. *Addiction*, 107, 876-877.

Ellman, I. M., Braver, S., & MacCoun, R. J. (2012). Abstract principles and concrete cases in intuitive lawmaking. *Law and Human Behavior*, 36, 98-108.

MacCoun, R. J., & Reuter, P. (2011). Assessing drug prohibition and its alternatives: A guide for agnostics. *Annual Review of Law & Social Science*, 7, 61-78.

Sah, S., & MacCoun, R. (2011). Unconvinced but persuaded: How confident advisors influence you. Published in *Best Paper Proceedings of the Academy of Management Conference*.

MacCoun, R. J. (2011). How should expert judgment inform the legalization debate? In P. Cook, J. Ludwig & J. McCrary (eds.), *Controlling crime: Strategies and payoffs*. University of Chicago Press.

MacCoun, R. J. (2011). What can we learn from the Dutch cannabis coffeeshop system? *Addiction*, 106, 1899-1910.

MacCoun, R. J., & Hix, W. M. (2010). Cohesion and performance. In National Defense Institute (collective authorship), *Sexual orientation and U.S. military policy: An update of RAND's 1993 study*. Santa Monica: RAND. Prepared for the Office of the Secretary of Defense as part of the 2010 Pentagon evaluation of the Don't Ask Don't Tell policy. (Note: The chapter reviews 17 years of new research since my 1993 cohesion analysis.)

- Kilmer, B., Caulkins, J. P., Pacula, R. L., MacCoun, R. J., & Reuter, P. H. (2010). *Altered state? Assessing how marijuana legalization in California could influence marijuana consumption and public budgets*. (65 page peer-reviewed report.) Santa Monica, RAND. (Mentioned in many hundreds of newspaper, magazine, and TV stories, as well as a Jay Leno *Tonight Show* monologue.)
- MacCoun, R. J. (2010). The implicit rules of evidence-based drug policy, updated. *Addiction*, *105*, 1335-1336.
- Robbenolt, J., Darley, J., & MacCoun, R. J. (2010). Constraint satisfaction and judging (pp. 27-40). In David Klein & Gregory Mitchell (eds.), *The psychology of judicial decision making*. Oxford.
- MacCoun, R., Pacula, R. L., Reuter, P., Chriqui, J., Harris, K. (2009). Do citizens know whether they live in a decriminalization state? State marijuana laws and perceptions. *Review of Law & Economics*, *5*(1), 347-371.
- MacCoun, R. J., & Martin, K. (2009). Drug use and drug policy in a prohibition regime (pp. 501-523). In M. Tonry (ed.), *The Oxford handbook of crime and public policy*. Oxford.
- Ellman, I. M., Braver, S., & MacCoun, R. J. (2009). Intuitive lawmaking: The example of child support. *Journal of Empirical Legal Studies*, *6*, 69-109.
- MacCoun, R. J. (2009). Harm reduction is a good label for a criterion all drug programs should meet (invited comment). *Addiction*, *104*, 341-342.
- MacCoun, R. J., & Paletz, S. (2009). Citizens' perceptions of ideological bias in research on public policy controversies. *Political Psychology*, *30*, 43-65.
- MacCoun, R. J., Cook, P., Muschkin, C., & Vigdor, J. (2008). Distinguishing spurious and real norm effects: Evidence from artificial societies, small-group experiments, and real schoolyards. *Review of Law & Economics*, *4*(3), 695-714, <http://www.bepress.com/rle/vol4/iss3/art2/>
- Tenney, E. R., Spellman, B. A., & MacCoun, R. J. (2008). The benefits of knowing what you know (and what you don't): Fact-finders rely on others who are well calibrated. *Journal of Experimental Social Psychology*, *44*, 1368-1375.
- MacCoun, R. J. (2008). Bridging the gap between science and drug policy: From "what" and "how" to "whom" and "when" (invited comment). *Behavioral and Brain Sciences*, *31*, 454-455.
- MacCoun, R. J., & Reuter, P. (2008). The implicit rules of evidence-based drug policy: A US perspective (invited comment). *International Journal of Drug Policy*, *19*, 231-232.
- Cook, P., MacCoun, R. J., Muschkin, C., & Vigdor, J. (2008). The negative impacts of starting middle school in sixth grade. *Journal of Policy Analysis and Management*, *27*, 104-121.
- Received the 2008 Raymond Vernon Memorial Prize for year's best paper from the Association for Public Policy Analysis and Management.
- MacCoun, R. J. (2008). Complex evidence in litigation. In B. L. Cutler (Ed.), *The Encyclopedia of Psychology and Law*, Vol. 1, pp.127-130.
- Kerr, N. L., & MacCoun, R. J. (2008). Juries and the leniency bias. In B. L. Cutler (Ed.), *The Encyclopedia of Psychology and Law*, Vol. 2, pp. 453-455.
- MacCoun, R. J. (2007). Testing drugs vs. testing users: Private risk management in the shadow of the criminal law. *DePaul University Law Review*, *56*, 507-538.



Tenney, E. R., MacCoun, R. J., Spellman, B. A., & Hastie, R. (2007). Calibration trumps confidence as a basis for witness credibility. *Psychological Science*, 18, 46-50.

Featured as "Editor's Choice" in the 2 Feb 2007 issue of *Science*.

MacCoun, R. J. (2006). Psychological constraints on transparency in legal and government decision making. In A. Gosseries (ed.), Symposium on publicity and accountability in governance, *Swiss Political Science Review*, 12, 112-123.

MacCoun, R. J. (2006). The relativity of cognition as a challenge for behavioral law and economics (Invited Essay), *Daito Bunka Law Review*, 2, 29-39.

MacCoun, R., Kier, E., & Belkin, A. (2006). Does social cohesion determine motivation in combat? An old question with an old answer. *Armed Forces and Society*, 32, 646-654.

MacCoun, R. J. (2006). Media reporting of jury verdicts: Is the tail (of the distribution) wagging the dog? Clifford Symposium on Tort Law, *DePaul Law Review*, 55, 539-562.

MacCoun, R. J. (2006). Competing accounts of the gateway effect: The field thins, but still no clear winner. Invited commentary, *Addiction*, 101, 473-474

MacCoun, R. J. (2005). Voice, control, and belonging: The double-edged sword of procedural fairness. *Annual Review of Law and Social Science*, 1, 171-201.

Pacula, R. L., MacCoun, R., Reuter, P., Chriqui, J., Kilmer, B., Harris, K., Paoli, L., & Schaefer, C. (2005). What does it mean to decriminalize marijuana? A cross-national empirical examination. In B. Lindgren & M. Grossman (eds.), *Substance use: Individual behaviour, social interactions, markets and politics* (pp. 347-370). Elsevier/North-Holland.

MacCoun, R. J. (2005). Comparing legal factfinders: Real and mock, amateur and professional. Symposium on "The behavioral analysis of legal institutions," *Florida State University Law Review*, 32, 511-518 .

MacCoun, R. (2005). Conflicts of interest in public policy research (pp. 233-262). In Moore, D. A., Cain, D. M., Loewenstein, G. and Bazerman, M. (eds.), *Conflicts of interest: Problems and solutions from law, medicine and organizational settings*. London: Cambridge University Press.

Caulkins, J., & MacCoun, R. (2005). Deterring imperfectly rational actors: The case of drug enforcement. In Francesco Parisi and Vernon Smith (eds.), *The law and economics of irrational behavior* (pp.313-338). Stanford University Press.

Feldman, Y., & MacCoun, R. J. (2005). Some well-aged wines for the "new norms" bottles: Implications of social psychology for law and economics. In Francesco Parisi and Vernon Smith (eds.), *The law and economics of irrational behavior* (pp.358-394). Stanford University Press.

MacCoun, R. J. (2004). Anticipating unintended consequences of vaccine-like immunotherapies for addictive drug use. In H. R. Harwood & T. G. Myers (eds.), *New treatments for addiction: Behavioral, ethical, legal, and social questions* (pp. 241-275). National Research Council and the Institute of Medicine. Washington, D.C.: National Academy Press.

Kilmer, B., & MacCoun, R. J. (2004). Public policy on addictive disorders. In R. Coombs (ed.), *Addictive disorders: A practical handbook*. Wiley.

- MacCoun, R. (2004). Population thinking as an adjunct to the clinical trial (invited editorial). *Psychiatric Services*, 55, 509-510, 515.
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### **SELECTED PRESENTATIONS, BRIEFINGS, AND SYMPOSIA**

*Public intuitions about fair child support payments: Converging evidence for an 'ability to contribute' rule.* Conference on Empirical Legal Studies, Stanford Law, 10 November 2012.

*The burden of social proof: Shared thresholds and social influence.* Penn Law School, U. Pennsylvania, 22 October 2012

*Lasting effects of the War on Drugs.* Invited seminar for the Stanford Chapter of the NAACP, 17 May 2012.

*Moral outrage and opposition to harm reduction.* Law & Society symposium, Stanford Law School, 10 April 2012.

*Military unit cohesion and the repeal of Don't Ask, Don't Tell* (with Nora Bensahel). Symposium jointly sponsored by Outlaw, the American Constitutional Society, and the Stanford National Security and the Law Society, Stanford Law School, 2 April 2012.

*The burden of social proof: Shared thresholds and social influence.*

- Stanford Business School, 18 April 2012
- Stanford Law School, 22 February 2012

*Cheap talk and credibility: The consequences of confidence and accuracy on advisor credibility and persuasiveness.* Conference on Empirical Legal Studies, Chicago, 4 November 2011.

*Moral outrage and opposition to harm reduction.* Invited presentation at the Vice and Crime workshop, Rutgers Law School, Newark, NJ, 16 September 2011.

*What can we learn from the Dutch cannabis coffeeshop system?* UC Berkeley Law Faculty Workshop, 6 September 2011.

*Unconvinced but persuaded: How confident advisors influence you* (with S. Sah). Best paper award, MOC Division, Academy of Management, San Antonio, August 2011.

*Experimental methods for sociolegal research.* Graduate Student Workshop, Annual Meeting of the Law & Society Association, San Francisco, 1 June 2011.

Discussant and panelist on cannabis law changes in the US, Australia, the UK, and the Netherlands. International Society for the Study of Drug Policy, Utrecht, The Netherlands, 23 May 2011.

*Incarceration, morality, and public perception.* Invited panel discussion (with Dan Kahan and Glenn Loury), Yale Law School, 18 April 2011.

*Allocating the burden of proof: Shared thresholds and social influence.* College of Law, University of Illinois, 15 March 2011.

Discussant, *Crack pipes and policing: A case study of institutional racism and remedial action in Cleveland* (Mona Lynch). Institute for the Study of Social Change and Berkeley Law, UC Berkeley, 8 March 2011.

*Cheap talk and credibility: The consequences of confidence and accuracy on advisor credibility and persuasiveness* (with S. Sah & D. Moore; presented by MacCoun).

- Invited lecture, Stanford Law School, 28 February 2011.
- Conference on Empirical Legal Studies, Northwestern University Law School, 4 November 2011.

*Military cohesion and the repeal of "Don't Ask, Don't Tell."*

- Invited lecture, Sandra Day O'Connor College of Law, Arizona State University, 22 February 2011.
- Seminar, Center for the Study of Law and Society, UC Berkeley, 29 August 2011.

*California marijuana laws: Policy analysis and political psychology.* Invited talk, San Francisco City Hall, 20 January 2011.

*Experimental design strategies.* Half-day Workshop in Empirical Research Methods, Center for the Study of Law and Society, UC Berkeley, 5 November 2010.

*What will happen if California legalizes marijuana?*

- Homecoming Lecture, UC Berkeley, 7 October 2010
- Goldman School of Public Policy colloquium, 9 October 2010

*Cheap talk and credibility: Influence of advisor's confidence and accuracy* (with S. Sah & D. Moore; presented by Sah). Academy of Management Annual Meeting, 10 August 2010.

*Implicit standards of proof in contentious social issues.* Stanford Summer Institute in Political Psychology, Palo Alto, CA, Stanford Summer Institute in Political Psychology, 22 July 2010.

*Altered state? Assessing how marijuana legalization in California could influence marijuana consumption and public budgets* (with B. Kilmer, J. Caulkins, R. Pacula, & P. Reuter).

- Capitol Briefing, California State Capitol, Sacramento, 7 July 2010.
- Congressional Briefing, 1334 Longworth House Office Building, Washington, D.C., 12 July 2010.

*Allocating the burden of social proof: Shared thresholds and social influence.* Empirical Implications of Theoretical Models Summer Institute, UC Berkeley, 30 June 2010.

*What would happen if California legalized marijuana?*

- Lake Merritt Breakfast Club, Oakland, 15 April 2010.
- International Society for the Study of Drug Policy, RAND, Santa Monica CA, 16 March 2010.
- Health Services Research Colloquium, School of Public Health, UC Berkeley, 2 February 2010.
- Chancellor's Forum, University of California at Berkeley, 30 October 2009.
- 38<sup>th</sup> Annual Conference of the National Organization for the Reform of Marijuana Laws (NORML), San Francisco, 25 September 2009.



*Advisor confidence as a cue to advisor accuracy.* IGERT seminar, Goldman School of Public Policy, University of California at Berkeley, 14 April 2010.

*Would ending "Don't Ask Don't Tell" impair US military effectiveness?* QuiPP seminar, UC Berkeley, 31 March 2010.

Discussant, "Key insights from Project Hope and 24/7 Sobriety Program," International Society for the Study of Drug Policy, RAND, Santa Monica CA, 16 March 2010.

Discussant, "Rethinking America's Illegal Drug Policy (John Donohue, Benjamin Ewing, & David Pelopquin)." NBER Economical Crime Control Conference, UC Berkeley Law, 16 January 2010.

Discussant, "Doubling Down on Pot: Marijuana, Race and the New Disorder in New York City Street Policing" (Amanda B. Geller, Jeffrey Fagan). Fourth Annual Conference on Empirical Legal Studies, USC Law School, 20 November 2009.

Organizer and moderator, *New directions for US drug policy?* The Annual Caleb Foote Symposium, UC Berkeley Law School, 13 November 2009 (featuring Gil Kerlikowske, Director of the White House Office of National Drug Control Policy)

*Allocating the burden of social proof: Shared thresholds and social influence.*

- Institute for Personality and Social Psychology, University of California at Berkeley, 23 September 2009.
- Org. Behavior and Industrial Relations seminar, Haas Business School, UC Berkeley, 28 October 2009.

*The rule of law and the unruliness of the mind.* Festschrift for John Darley, Department of Psychology, Princeton University, 22 May 2009.

*Thomas C. Schelling Symposium* (conference co-organizer and presenter). Goldman School of Public Policy, UC Berkeley, 4 March 2008.

*Moral outrage and opposition to policies that reduce the harms of risky behaviors.*

- Center for Health Administration, University of Chicago, 10 October 2007.
- Joint Annual Meeting of the Law and Society Association (LSA) and the Research Committee on Sociology of Law (RCSL), Humboldt-Universität zu Berlin, 26 July 2007.
- Invited lecture for the First Biennial Willard H. Pedrick Speaker Series, Sandra Day O'Connor College of Law, Arizona State University, 5 March 2007.

*Distinguishing spurious and real norm effects: Evidence from artificial societies, lab experiments, and real schoolyards.* Conference on Behavioral Approaches to Legal Compliance: Social Norms, Self-Interest, and Cooperation. Hebrew University, Jerusalem, 14 May 2007.

*Economics in the 21<sup>st</sup> century: Tom Schelling and the multiple selves hypothesis.* Invited presentation at the Schelling Symposium honoring Nobel Laureate Thomas Schelling. University of Maryland, 29 September 2006.

*Citizens' inferences about ideological bias in policy research (w/S. Paletz).*

- Seminar, Public Policy Institute of California, San Francisco, 13 June 2006.
- Seminar, RAND, Santa Monica, CA, 17 August 2006.

*Empirics for non-(quantitative) empiricists: A consumer's guide to quantitative law and social science.* Seminar, Boalt Hall School of Law, UC Berkeley, 25 May 2006.

*Testing drugs vs. testing users: Tensions between the expressive, deterrent, and harm reduction functions of criminal law.* Clifford Symposium on the Rule of Law, DePaul University College of Law, Chicago, 21 April 2006.

*Why do people use drugs, and how should it matter for drug policy?* Invited presentation, The Beckley/Foresight Seminar on Future Policy Challenges, London, 22 November 2005.

*Psychological constraints on transparency in judicial decision making.* International Workshop on Publicity and Transparency in Democratic Decision Making, Chaire Hoover d'ethique économique et sociale, Université Catholique de Louvain, Louvain-la-Neuve, Belgium, 23 May 2005.

*A psychological analysis of possible public and official responses to a nuclear detonation in Moscow.* Invited paper for the International Ramifications of Nuclear Terrorism Conference, Marconi Center, 2-4 May 2005.

*Managing actual and perceived bias in policy-relevant research.* Invited Organizational Behavior Seminar, Graduate School of Business, Stanford University, 27 October 2004.

*Media reporting of jury verdicts: The tail (of the distribution) wagging the dog?* Annual Meeting of the Society of Experimental Social Psychology, Ft. Worth, TX, 16 October 2004.

*An assessment of "Punitive damages: How juries decide"* (by Cass Sunstein, Reid Hastie, John Payne, David Schkade, and Kip Viscusi). Symposium on Punitive Damages: The Law, the Jury, and the Judge, AEI-Brookings Joint Center for Regulatory Studies, Washington DC, 24 September 2004.

*The potential for unintended behavioral responses to emerging vaccines against addiction.* Arne Ryde Symposium on The Economics of Substance Use, Lund, Sweden, 14 August 2004.

*Marijuana decriminalization: What matters and why* (with Rosalie Liccardo Pacula, Peter Reuter, Jamie Chriqui, Beau Kilmer, Katherine Harris, Letizia Paoli, and Carsten Schaefer). 24th Arne Ryde Symposium on The Economics of Substance Use, Lund, Sweden, 13 August 2004.

*Media reporting of jury verdicts: The tail (of the distribution) wagging the dog?* Conference on Selection in the Marketplace of Ideas, Fuqua Business School, Duke University, Durham, NC, 14 May 2004.

*Assessing the effects of alternative marijuana laws.* Invited colloquium, Empirical Research Colloquium series, Northwestern University Law School, 16 October 2003.

*What is the medical marijuana debate really about?* Invited speech at The Truth about Medical Marijuana, a Policy Forum sponsored by the Independent Institute, Harpers Magazine, the Drug Policy Alliance, and The Goldman School of Public Policy. San Francisco, 2 October 2003.

*Anticipating potential behavioral responses to immunotherapies for addiction protection and relapse prevention.* Invited presentation, Workshop on Immunotherapies and Depot Medications to Treat Drug Addiction, The National Academies, 22 April 2003.

*On psychological naivete: Psychology's limited impact on policy analysis.* Invited address, Presidential Symposium (w/ J. Darley, D. Kahneman, & M. Rabin), American Psychological Society, New Orleans, 7 June 2002.

- also presented at Seminar in Psychology and Economics, UC Berkeley, 14 May 2002; brownbag seminar at Institute for Personality and Social Research, UC Berkeley, 10 April 2002.

*Drug war heresies: Learning from other vices, times, and places.* Invited address, Conference on *An American Tragedy: The War on Drugs*, Schneiderman Memorial Bioethics Lecture Series, School of Biological Sciences, University of California at Irvine, 19 November 2001.

*Research on drug-crime linkages: The next generation* (with B. Kilmer, P. Reuter). Commissioned paper, Drugs and Crime Research Forum, National Institute of Justice, Washington, DC, 19 April 2001.

*Does the gay ban preserve unit cohesion?* Invited address at a symposium on "Don't Ask, Don't Tell: Is the Gay Ban Based on Prejudice or Military Necessity?" The Commonwealth Club, San Francisco, December 9, 2000.

*Europe and North America: Between "harm reduction" and "zero tolerance".* Opening keynote address, Conference on "Illegal Drug Use in North America and Europe: Comparative Issues, Problems, and Policies," University of British Columbia, Green College, Vancouver, Canada, September 22, 2000.

*Comparing individual and collective rationality.* Invited colloquium, Woodrow Wilson School of Government, Princeton University, March 30, 2000.

Invited testimony, Hearing on "Drug Decriminalization," House Committee on Government Reform and Oversight, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, Washington D.C., July 13, 1999. Testimony at <http://socrates.berkeley.edu/~maccoun/0799testimony.html>

Reprinted in C. F. Levinthal (ed.) (2003), *Point/counterpoint: Opposing perspectives on issues of drug policy* (pp. 77-81). Boston: Allyn & Bacon.

*Is collective decision making more or less biased than individual decision making?* The 1998-99 Jacob Marschak Interdisciplinary Colloquium on Mathematics in the Behavioral Sciences, UCLA, June 4, 1999.

*Sexual orientation and US military personnel policy: The RAND study in its political context.* Invited address, Princeton Society of Fellows of the Woodrow Wilson Foundation, Princeton University, April 19, 1999.

*Psychology and public policy: Tales from the trenches.* Invited departmental colloquium, Department of Psychology, Princeton University, February 19, 1999.

*Exploring the link between addiction theory and drug laws.* Invited seminar, Center for Advanced Study in the Behavioral Sciences, Palo Alto, California, December 10, 1997.

*The legalization debate: Learning from other places, times, and vices* (with Peter Reuter). Briefing for RAND Board of Trustees, RAND, Santa Monica, California, November 17, 1997.

Co-spokesperson (with Charles Schuster) at press conference for release of Federation of American Scientists' "Principles for Practical Drug Policies," National Press Club, Washington, D.C., 2 September 1997.

*Integrating harm reduction and use reduction.* Briefing for California state legislators and staff members, Sacramento, California, April 23, 1997.

*The psychology of harm reduction: Alternative strategies for modifying high-risk behavior.* 1996 Distinguished Wellness Lecture, The California Wellness Foundation/University of California Wellness Lectures, Berkeley, California, October 2, 1996.

*The verdict on the verdict: Interpreting the public's reaction to the Simpson trial.* Invited presentation at the Presidential Showcase Symposium, "Simpson Aftershock: Seismic Changes for Justice?," Annual Meeting of the American Bar Association, Orlando, Florida, August 4, 1996.

*Improving jury comprehension in criminal and civil trials.* Invited testimony before the California State Senate Judiciary Committee, Los Angeles, July 27, 1995. (Reprinted as RAND Testimony CT-136, Santa Monica, California, July 1995.)

*How should we deal with dealers?* "Day at RAND" briefing for blue ribbon group of policy makers and business leaders, including Surgeon General Joycelyn Elders, DHHS Special Counsel Peter Edelman, New Orleans Mayor Marc Morial, and former Attorney General Ed Meese. Washington, DC: October 29, 1994.

Invited Symposium, *Sexual orientation and U.S. military policy: The RAND report.* Annual meeting of the American Psychological Association; Los Angeles; August 15, 1994.

*Drug policies in North America and Western Europe: Comparing "barks and bites."* Paper commissioned by the Commission of the European Community for the Scientific Seminar on Strategies and Policies to Combat Drugs, Florence, Italy, December 9, 1993.

*American drug policies: Toward a third debate.* Invited address at "The War at Home: Drugs and the Inner Cities," All Day Town Meeting convened by The Nation Institute and the ACLU of Southern California, Los Angeles, October 23, 1993.

*Collective vs. individual rationality: Bias in decisions by individuals and groups* (with Norb Kerr and Geoff Kramer). Presented at the annual meeting of the Society for the Advancement of Socio-Economics, New York, March 1993.

*Bias in decision making: Comparing individuals and groups.* Invited seminar, Center for Decision Research, Graduate School of Business, University of Chicago, March 1993.

*What works and what doesn't in our criminal justice system* (conversation with Peter Greenwood and Joan Petersilia). 30-minute videotaped segment for *The Idea Channel* (syndicated cable TV program), Santa Monica, March 1993.

*What does empirical research tell us about civil jury behavior?* Invited address, Brookings/ABA Litigation Section Symposium on the Future of the Civil Jury System in the United States, Charlottesville, Virginia, June 19, 1992.

*What harms do harm-reduction policies reduce? A cross-national study of heroin addiction.* Invited keynote address at the Third International Conference on the Reduction of Drug-Related Harm, Melbourne, Australia, March 23, 1992.

Participant, Conference on U.S./European Drug Policies, Rockefeller Conference Center, Bellagio, Italy, December 2-4, 1991.

*European drug policy experiences.* Briefing for the staff of the Office of National Drug Control Policy, RAND, November 18th, 1991.

Testimony on drug policy and problems before the California Legislature's Joint Legislative Budget Committee, San Francisco, October 23, 1990.

Panelist, The Annenberg Washington Program Forum: *Selecting impartial juries: Must ignorance be a virtue in our search for justice?*, Washington, D.C., May 11, 1990. (Transcript published in *The American University Law Review*, Winter 1991, 40(2), 541-629.)

*Getting inside the black box: Toward a better understanding of the American jury.* The Forum Lecture, Kalamazoo College, Kalamazoo, Michigan, March 29, 1990.

## GRADUATE THESES

*Modeling the impact of extralegal bias and defined standards of proof on the decisions of mock jurors and juries.* Ph.D. dissertation, Michigan State University, 1984. *Dissertation Abstracts International*, 46, 700B. Committee: Norbert Kerr (chair), Lawrence Messé, Gerald Miller, John Hunter.

*In search of introspection: Attentional set and verbal reports on evaluative judgments.* M.A. thesis, Michigan State University, 1983. *Masters Abstracts*, 21, 374. Committee: William Crano (chair), Norbert Kerr, Lawrence Messé, Thomas Carr.

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## STEPHEN J. McHALE

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### EXPERIENCE

**Patton Boggs LLP, Washington, DC**  
Partner

November 2004 – Present

Partner in leading U.S. public policy law firm with an extensive international practice. Chairs Homeland Security and Defense Practice Group. Advises U.S. and international clients, including several major international air carriers, on aviation, transportation and national security matters, and customs and border enforcement issues. Also advises clients on compliance issues related to anti-money laundering and counter terrorist financing programs, as well as matters involving restrictions on foreign investment in the United States, international sanctions, and alcohol, firearms and explosives regulations.

**Transportation Security Administration, U.S. Department of Homeland Security**

Deputy Administrator

January 2002 – October 2004

Led effort to secure and successfully restore confidence in U.S. commercial aviation following the September 11 attacks. Worked with White House, Congress and stakeholders to enhance security in all modes of transportation. Led U.S. delegations to the European Union and APEC to address international aviation security issues. Testified in Congress on transportation security issues. Significantly enhanced the use of all-source intelligence in strategic and tactical decision-making. Ensured integration of advanced technology into a system-of-systems approach to security. Oversaw the largest mobilization of a U.S. civilian government agency since World War II, hiring, training, equipping and deploying over 55,000 employees to over 450 locations in less than a year. Executed a three-year budget in excess of \$16 billion.

**U.S. Department of the Treasury**

Acting General Counsel  
Assistant General Counsel (Enforcement)

January 2001 – June 2001  
March 1999 – January 2002

Led 1800 Treasury Department lawyers throughout the 2001 transition of Administrations. Served as senior Treasury enforcement lawyer overseeing all issues related to the Customs Service, Secret Service, and Alcohol, Tobacco, Firearms and Explosives Bureau, as well as national security, intelligence and money laundering. Worked with the Administration and Congress to develop complex legislation addressing terrorism, international sanctions, money laundering, and firearms and alcohol regulatory policy. Oversaw Treasury efforts to combat terrorist fundraising and seize terrorist assets following the September 11 attacks.

**Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of  
the Treasury**

Chief Counsel

March 1996 – March 1999

Served as a member of leadership team assigned to rebuild the agency. Developed legislation to respond to a rash of school shootings and strengthen tools to fight terrorism. Reorganized the Chief Counsel's Office and field structure to ensure delivery of legal advice directly to the front-line agents and inspectors.

**U.S. Department of the Treasury**

Deputy Assistant General Counsel  
(General Law and Ethics)

September 1990 – March 1996

Represented Treasury in numerous Congressional and other investigations. Advised senior officials on a wide range of legal policy and ethics issues. Oversaw legal work on issues related to acquisitions, labor relations, and fiscal and disclosure law.

**U.S. Department of Justice**

Assistant Director  
Trial Counsel

March 1989 – March 1990

September 1984 – March 1989

Managed U.S. Government litigation policy in all civilian personnel appeals. Represented the United States in litigation before the United States Court of Appeals for the Federal Circuit, the District Courts and the Court of Federal Claims.

**U.S. Office of the Special Counsel**

Trial Attorney

September 1981 – September 1984

**District of Columbia Superior Court**

Law Clerk to Judge John R. Hess

September 1980 – September 1981

**EDUCATION**

**American University**, Washington, D.C.

Editor, *American University Law Review*

Juris Doctor 1977-1980

**University of Nottingham**, England

Chair, Nottingham University Student Union

B.A. (Hons.) 1974-1977

**Waterford-Kamhlaba United World College**, Swaziland

1969-1973

## **BAR ADMISSIONS**

**Member of the Bar of the District of Columbia**

**Member of the Bar of the State of Maryland**

**Member of the Bar of the United States Court of Federal Claims**

## **AWARDS**

**Federal Employee of the Year for 2003, Partnership for Public Service**

**Honor Award, Transportation Security Administration**

**September 11 Service Award, Department of Transportation**

**Distinguished Service Medal, Department of the Treasury**

**Presidential Meritorious Executive Rank Award**

**General Counsel's Award for Excellence in Management, Department of  
the Treasury**

## **PROFESSIONAL AFFILIATIONS**

- **American Bar Association**
  - Forum Committee on Air and Space Law
  - Section of Administrative Law and Regulatory Practice
    - Homeland Security and National Defense Committee
  - Section of International Law
  - Africa Committee
    - Export Controls and Economic Sanctions Committee
    - International Anti-Corruption Committee
    - National Security Committee
- **Exon-Florio (CFIUS) Practitioners Group**

## **CITIZENSHIP**

United States of America

Ireland



## MARK HARRISON MOORE

Hauser Professor of Nonprofit Organizations  
Harvard's Kennedy School of Government

Herbert Simon Professor of Organizations, Management, and Education  
Harvard's Graduate School of Education

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200 North, Room 234  
Cambridge, Mass 02318

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### Current Positions:

- 2008- Herbert A. Simon Professor of Education, Management and Organizational Behavior
- 2005- Hauser Professor of Nonprofit Organizations

### Previous Positions:

- 2007-2011 Visiting Professor, Harvard Business School
- 1998-2007 Director, Hauser Center for Nonprofit Organizations, Kennedy School of Government
- 1996-1998 Faculty Chairman, Strategic Management "Cluster," Kennedy School, Harvard University
- 1979-2004 Guggenheim Professor of Criminal Justice Policy and Management, Kennedy School, Harvard University
- 1979-2004 Faculty Chairman, Program in Criminal Justice Policy and Management, Kennedy School, Harvard University
- 1979-1990 Faculty Chairman, Executive Programs, Kennedy School, Harvard University
- 1976-1979: Associate Professor of Public Policy, Kennedy School, Harvard University
- 1974-1975: Special Assistant to the Administrator and Chief Planning Officer, Drug Enforcement Administration, U.S. Department of Justice (on leave from KSG)

1973-1976: Assistant Professor of Public Policy, Kennedy School, Harvard University

### **Education**

B.A., Yale University (Summa Cum Laude and Honors with Exceptional Distinction in Political Science and Economics), 1969

M.P.P., Kennedy School of Government, Harvard University, 1971

Ph.D., Kennedy School of Government, Harvard University, 1974

### **Primary Research/Teaching Interests**

Crime; Criminal Justice Policy and Management

Organizational Behavior, Public Management;

Normative Theories of the State; Law and Public Policy

NonProfit Organizations, Civil Society

Social Innovation, Social Entrepreneurship and Social Change

### **Professional Service**

*For the National Academy of Sciences*

Vice Chair, Committee on Law and Justice, 2002-2005

Committee on Research on Law Enforcement and the Administration of Justice, 1990-1998

Chair, Committee on Case Studies in School Violence, 2001-2002

Chair, Conference on Urban Violence, 1994

Chair, Panel on Alcohol Control Policies, 1979-1981

Review Coordinator, *Juvenile Crime, Juvenile Justice*, 2001

Review Coordinator, "Transnational Organized Crime: Report of a Workshop," 1999

Member, Committee on Law and Justice: Panel on the Understanding and Control of Violent Behavior, 1989-1992

*Other Service*

Steering Committee: Interfaculty Initiative on Mind, Brain, and Behavior, Harvard University, 1994-1997

Editorial Board, *Criminology and Criminal Justice*

**Honorary Societies**

Phi Beta Kappa

Associate Member, National Academy of Sciences

**Other Honorary Appointments and Positions**

Fellow, Sunningdale Institute, National School of Government, Great Britain

Faculty Member, Australian-New Zealand School of Government,

Fellow, Faculty of Business, Tilburg University

## Selected Publications

### Books and Monographs

*Recognizing Public Value: The Strategic Use of Performance Measurement*, Cambridge: Harvard University Press, 2013.

*Ports in a Storm: Public Management in a Turbulent World*, with John D. Donahue (eds.). Washington: Brookings Institution Press, 2012.

*Public Value: Theory and Practice*, with John Benington (eds.). London, Palgrave, Macmillan, 2010.

*Creating Public Value Through State Arts Agencies* with Gaylen Moore, Minneapolis: Arts Midwest, 2005.

*Deadly Lessons: Understanding Lethal School Violence*, with Carol V. Petrie, Anthony A. Braga, and Brenda L. McLaughlin. (eds.) Washington, D.C.: National Academies Press, 2003.

*The 'Bottom Line' of Policing: What Citizens Should Value (and Measure!) in Police Performance*, with Anthony Braga, Police Executive Research Forum, February 2003.

*Recognizing Value in Policing: The Challenge of Measuring Police Performance*, with David Thacher, Andrea Dodge, and Tobias Moore, Police Executive Research Forum, 2002.

*Youth Violence, Volume 24 of Crime and Justice: A Review of Research*, with Michael Tonry (eds.). Chicago: The University of Chicago Press, 1998.

*Creating Public Value: Strategic Management in Government*, Cambridge: Harvard University Press, 1995. (Translated into Spanish, Portuguese, and Italian; English Version Published in China)

*Accounting for Change: Reconciling the Demands for Accountability and Innovation in the Public Sector* (Council for Excellence in Government: Washington, D.C. 1993)

*Beyond Command and Control: The Strategic Management of Police Departments*, with Darrel W. Stephens. Washington, D.C.: Police Executive Research Forum, 1991.

*Beyond 911: A New Era for Policing*, with Malcolm K. Sparrow and David Kennedy, New York: Basic Books, 1990.

*Ethics in Government: The Moral Challenge of Public Leadership*, with Malcolm K. Sparrow, Englewood Cliffs, New Jersey: Prentice Hall, 1990.

*From Children to Citizens, Vol. I: The Mandate for Juvenile Justice*, with T. Bearrows, J. Bleich, F. X. Hartmann, G. L. Kelling, M. Oshima, and S. Weingart, New York: Springer-Verlag, 1987.

*Inspectors-General: Junkyard Dogs or Man's Best Friend?* with Margaret J. Gates, New York: Russell Sage Foundation, 1986.

*Dangerous Offenders: The Elusive Target of Justice*, with Susan Estrich, Daniel McGillis, William Spelman. Cambridge: Harvard University Press, 1984.

*Alcohol and Public Policy: Beyond the Shadow of Prohibition*, with Dean Gerstein, Washington DC: National Academy Press, 1981.

*Public Duties: The Moral Obligations of Public Officials*, co-edited with Joel L. Fleishman and Lance Liebman, Cambridge: Harvard University Press, 1981.

*Special Edition of Public Policy on "Implementation Analysis,"* co-authored with Graham T. Allison, Spring 1978.

*Buy and Bust: The Effective Regulation of an Illicit Market in Heroin*, Lexington Books, 1977.

## **Book Chapters, Articles, Professional Papers**

### **1. Public Policy Analysis, Public Management and the Voluntary Sector**

"Public Value in Changing Times" with John Benington in Benington and Moore, *Public Value: Theory and Practice*, London, Palgrave Macmillen, 2010 Ch. 1.

"Choice and Marketing in Public Management; the Creation of Public Value?" with Robin Wensley in Benington and Moore *Public Value: Theory and Practice*, London, Palgrave Macmillen, 2010 Ch. 7

"Looking Ahead," in Benington and Moore (above) *Public Value: Theory and Practice* London, Palgrave Macmillen, 2010 Ch. 16.

"Networked Government: Survey of Rationales, Forms, and Techniques" in Stephen Goldsmith and Donald F. Kettl, eds. *Unlocking the Power of Networks: Keys to High Performance Government* (Washington, DC: Brookings Institution, 2009)

Hurricane Katrina and the Voluntary Sector: Summary Observations Urban Institute 2007

Social Entrepreneurship: A Preliminary View of the Possibilities (Hauser Center, 2007)

"Innovations in Governance" with Jean Hartley, *Public Management Review* 2007

"A Framework for Analyzing Nonprofit Governance and Accountability Policies and Practices," with William Ryan. Hauser Center Working Paper No. 33.3. 2006

"The Simple Analytics of Accountability," Hauser Center Working Paper No. 33.9. 2006

"Break-Through Innovations and Continuous Improvement: Two Different Models of Innovative Processes in the Public Sector" *Public Money & Management*, January 2005, vol. 25, no. 1, pp. 43-50(8)

"Introduction to Symposium: Public Values in an Era of Privatization" *Harvard Law Review*, vol.11. no. 5.

"What Business Might Learn From Government About Strategic Management" with Sanjeev Khagram 2004

"Building Strategic Accountability Systems for International NGO's" with David Brown and James Honan, *Accountability Forum*, Issue 2, Summer, 2004

"The "Public Value Scorecard: A Rejoinder and an Alternative to 'Strategic Performance Measurement and Management in Non-Profit Organizations' by Robert Kaplan," Hauser Center Working Paper No. 18, 2003

On Creating Public Value: What Business (And Non-Profit Organizations) Might Learn from Government About Strategic Management (Unpublished) 2003

"Strengthening the Accountability of International Non-Governmental Organizations: An Analytic Framework and Implementation Guidelines" with David Brown and James Honan (Hauser Center, 2003)

Faith, Liberal Democracy, and the Public Good, (Hauser Center) 2002

"Privatizing Public Management," in John D. Donahue and Joseph S. Nye, Jr., (eds.), *Market-Based Governance: Supply Side, Demand Side, Upside and Downside*, Washington, D.C.: Brookings Institution Press, 2002.

"Accountability, Strategy, and International Non-Governmental Organizations," with David Brown *NonProfit and Voluntary Sector Quarterly*, 30:3 2001 569-587

"The Market versus the Forum: Observations on the Ways in Which the Extension of Values and Social Processes Celebrated by Markets Can Adversely Affect Governance," in John D. Donahue and Joseph S. Nye, Jr., (eds.), *Governance Amid Bigger, Better Markets*, Washington, D.C.: Brookings Institute Press, January 2001.

"Managing For Value: Strategy in Nonprofit Organizations" *Nonprofit and Voluntary Sector Quarterly*, vol. 29, no. 1, Supplement 2000 183-204 2000 Sage Publications, Inc.

"Globalization, NGOs and Multi-Sectoral Relations," with L. David Brown, Sanjeev Khagram, and Peter Frumkin, in Joseph S. Nye, Jr., and John D. Donahue (eds.), *Governance in a Globalizing World*, Washington, D.C.: Brookings Institution Press, 2000.

Towards a Normative Theory of the Non-Profit Sector, 1999 (Hauser Center)

"Case Studies in the Transformation of Police Departments"

"The Strategic Management of Criminal Sanctions" in Patricia Harris, *Research to Results: Effective Community Corrections* 1999

"The Strategic Management of Intermediate Sanctions" *Corrections Management Quarterly*, vol 1. no. 3, 7/1/ 1997

"Innovation in Policing: From Production Lines to Job Shops" with Malcolm Sparrow and William Spelman in Alan Altshuler and Robert D. Behn, *Innovations in American Government: Challenges, Opportunities and Dilemmas* (Brookings: Washington, D.C., 1997)

An Analysis of DOE's Experience with Cleaning Up Environmental Hazards, 1996

Notes Towards a Curriculum in Nonprofit Policy and Management, Hauser Working Paper, 1996

"Learning While Doing: Linking Knowledge to Policy Development in Community Policing and Violence Prevention in the United States" in Per-Olof Wikstrom, *Integrating Crime Prevention Strategies: Propensity and Opportunity* (Stockholm, Sweden : National Council for Crime Prevention, Sweden, c1995) pp. 301-331.

"Policing: Deregulating or Redefining Accountability," In *Deregulating the Public Service: Can Government Be Improved?* John DiIulio, Jr. (ed.), Washington, DC: Brookings Institution Press, 1994.

"Organization and Management" with Darrell Stephens in William Geller, ed. *Local Government Police Management*, 3<sup>rd</sup> ed. ?

"Public Value as the Focus of Strategy" (Australian Journal)

"Police Leadership: The Impossible Dream," in Erwin C. Hargrove and John C. Glidewell (eds.), *Impossible Jobs in Public Management*, Lawrence, Kansas: University Press of Kansas, 1990.

"Small Scale Statesmen: A Normative Conception of the Role and Functions of Public Management in Contemporary American Government," presented to the Third International Colloquium of the Journal "Politiques et Management Public," November 1988.

"What Sort of Ideas Become Public Ideas?" in Robert B. Reich, (Ed.) *The Power of Public Ideas*, Cambridge, MA: Ballinger, 1988.

"On the Office of the Taxpayer and the Social Process of Taxpaying," *Income Tax Compliance: A Report of the ABA Section of Taxation Invitational Conference on Income Tax Compliance*, American Bar Association, 1983.

"Social Science and Policy Analysis: Some Fundamental Differences," in *Ethics, the Social Sciences and Policy Analysis*, Daniel Callahan and Bruce Jennings (eds.), Plenum Publishing Corporation, 1983.

"Policy Managers Need Policy Analysis," *Journal of Policy Analysis and Management*, Vol.1, No.3, Spring 1982.

"Statesmanship in a World of Particular Substantive Choices," in Robert A. Goldwin, (Ed.), *Analysts and Statesmen: Who Governs*, American Enterprise Institute, 1980.

"Reorganization Plan #2 Reviewed," *Public Policy*, Vol.26, No.2, New York: John Wiley and Sons, Spring 1978.

"The Case of the Fourth Platoon," with Graham T. Allison, Timothy S. Bates, and Jane Downing, *Journal of Urban Analysis*, Vol.3, 1974.

## **2. Crime, Criminal Justice, and Policing**

"Improving Police Through Expertise, Experience and Experiments" In D. Weisburd and A. A. Braga (Eds.), *Police Innovation: Contrasting Perspectives*. Cambridge: Cambridge University Press. (Forthcoming)

"Performance Evaluation of Police Departments." With Anthony Braga, In *Encyclopedia of Law Enforcement*, edited by Marie Rosen and Larry E. Sullivan. Thousand Oaks, CA: Sage Publications. In Press.



"Police Performance Measurement: A Normative Framework" with Anthony Braga *Criminal Justice Ethics* , 23 (1): 3 ? 19. 2004

"Alternative Strategies for Public Defenders and Assigned Counsel" *Review of Law and Social Change*, Vol. 29, Number 1, 2004

"The Best Defense is No Offense: Preventing Crime through Effective Public Defense," with Michael P. Judge, Carlos Martinez, and Leonard Noisette, *Review of Law and Social Change*, Vol. 29, Number 1, 2004

"Sizing up COMPSTAT: An Important Administrative Innovation in Policing" *Criminology and Public Policy* vol. 2, no 3, (July 2003)

"Measuring and Improving Police Performance: The Lessons of Compstat and Its Progeny." With Anthony Braga, *Policing: An International Journal of Police Strategies and Management* , 26 (3): 439 ? 453. 2003.

"The Limits of Social Science in Guiding Inquiry," *Criminology and Public Policy*, vol-2, no. 1 (November 2002).

"Problem-Solving Policing and Crime Prevention," with Anthony A. Braga in Per-Olof Wikstrom, Lawrence Sherman, and Wesley Skogan (eds.) *Police and Crime Prevention*, Boulder, CO: Westview Press (forthcoming).

"Creating Networks of Capacity: The Challenge of Managing Society's Response to Youth Violence," in Gary S. Katzmann, (ed.) *Securing Our Children's Future: New Approaches to Juvenile Justice and Youth Violence*, Washington, DC: Brookings Institution Press, 2002.

"Gun Control," with Philip J. Cook, and Anthony A. Braga in James Q. Wilson and Joan Petersilia, (eds.) *Crime: Public Policies for Crime Control*, 2d ed., San Francisco: Institute for Contemporary Studies Press, 2002.

"The Illegal Supply of Firearms," with Anthony A. Braga, Philip J. Cook, and David M. Kennedy. *Crime and Justice: A Review of Research*, Vol. 29, p. 319, 2002.

"COPS Grants, Leadership, and Transitions to Community Policing," with David Thacher, Catherine Coles, Peter Sheingold, and Frank Hartmann. *National Evaluation of the COPS Program: Title I of the 1994 Crime Act*, National Institute of Justice Research Report, August 2000.

"Police as an Agency of Municipal Government: Implications for Measuring Police Effectiveness," with Margaret Poethig. *Measuring What Matters: Proceedings from the Policing Institute Research Meetings*, National Institute of Justice Research Report. July 1999.

"Youth Violence in America," with Michael Tonry. *Crime and Justice: A Review of Research*, Vol. 24, pp. 1-26, 1998.

"Juvenile Justice: Shoring Up the Foundations," with Stewart Wakeling. *Crime and Justice: A Review of Research*, Vol. 22, pp. 253-302, 1997.

"The Federal Role in Dealing with Violent Street Crime: Principles, Questions and Cautions," with Philip B. Heymann. *Annals of the American Academy of Political and Social Science*, p. 103, January 1996.

*Violence in Urban America: Mobilizing a Response* (Washington, DC.: National Academy of Sciences, 1994)

"Public Health and Criminal Justice Approaches to Prevention," *Crime and Justice: A Review of Research*, Vol. 19, pp. 237-262, 1995.

"Violence Prevention: Criminal Justice or Public Health?" *Health Affairs*, Vol. 12, No. 4, pp. 34-45, Winter 1993.

"Problem Solving and Community Policing: A Preliminary Assessment of New Strategies of Policing," in Norval Morris and Michael Tonry, (eds.) *Crime and Justice: Modern Policing*, Chicago: University of Chicago Press, Vol.15, 1992.

"Drugs, the Criminal Law, and the Administration of Justice," *The Milbank Quarterly*, New York: Cambridge University Press, Vol.69, No. 4, 1991.

"Violence and Intentional Injuries: Criminal Justice and Public Health Perspectives on an Urgent National Problem," with Deborah Prothrow-Stith, Bernard Guyer and Howard Spivak. *Understanding and Preventing Violence: A Public Health Perspective*, National Academy Press, Vol. 4, 1991.

"An Analytic View of Drug Control Policies," Program in Criminal Justice Policy and Management Working Paper, Kennedy School, Harvard University, 1990.

"Drugs: Getting a Fix on the Problem and the Solution," *Yale Law and Policy Review*, 8(1): 8-35, 1990.

"Supply Reduction and Drug Law Enforcement," in Michael Tonry and James Q. Wilson, (eds.) *Crime and Justice: A Review of Research*, Chicago: University of Chicago Press, pp.109-157, 1990.

"Corporate Strategies for Policing," with Robert C. Trojanowicz, *Perspectives on Policing* No.6, National Institute of Justice, U.S. Department of Justice, and the Program in Criminal Justice Policy and Management, Kennedy School, Harvard University, November 1988.

"The Evolving Strategy of Policing" with George L. Kelling, *Perspectives on Policing* No.4, National Institute of Justice, U.S. Department of Justice and the Program in Criminal Justice Policy and Management, Kennedy School, Harvard University, November 1988.

"Values in Policing," with Robert Wasserman, *Perspectives on Policing* No.8, National Institute of Justice, U.S. Department of Justice, and the Program in Criminal Justice Policy and Management, Kennedy School, Harvard University, November 1988.

"Crime and Policing," with Robert C. Trojanowicz and George L. Kelling, *Perspectives on Policing* No.2, National Institute of Justice, U.S. Department of Justice, and the Program in Criminal Justice Policy and Management, Kennedy School, Harvard University, June 1988.

"Policing and the Fear of Crime," with Robert C. Trojanowicz and George L. Kelling, *Perspectives on Policing* No.3, National Institute of Justice, U.S. Department of Justice, and the Program in Criminal Justice Policy and Management, Kennedy School, Harvard University, June 1988.

"Drugs: The Problem and the Options," Program in Criminal Justice Policy and Management Working Paper, Kennedy School, Harvard University, Cambridge (Report to the Ford Foundation) 1987.

"Organized Crime as a Business Enterprise," Chapter III in *Major Issues in Organized Crime Control: Symposium Proceedings*, National Institute of Justice, Washington D.C., September 1987.

"Purblind Justice: Normative Issues in the Use of Prediction in the Criminal Justice System," in *Criminal Careers and Career Criminals*, Volume II, A. Blumstein, J. Cohen, J. A. Roth, and C. A. Visher, (eds.) National Academy Press, Washington D.C., 1986.

"Drug Policy and Organized Crime," in *President's Commission on Organized Crime*, January 1986.

"Federally Funded Community Crime Control: Urban Initiatives Anti-Crime Program," with George L. Kelling and Steven Edwards, *Criminal Justice Policy Review*, Vol. I, January 1986.

"Controlling Criminogenic Commodities: Drugs, Guns, and Alcohol," in J.Q. Wilson, *Crime and Public Policy*, 1983.

"Invisible Offenses: A Challenge to Minimally Intrusive Law Enforcement," in G. M. Caplan (ed.), *ABSCAM Ethics: Moral Issues and Deception in Law Enforcement*, The Police Foundation, Ch.2, 1983.

"The Bird in Hand: A Feasible Strategy for Gun Control," *Journal of Policy Analysis and Management*, Vol.2, No.2, 1983.

"To Serve and Protect: Learning from Police History," co-authored with George L. Kelling, *The Public Interest*, No.70, Winter 1983.

"Keeping Handguns from Criminal Offenders," *Annals of the American Academy of Political and Social Science* 455, May 1981.

"Notes Towards a National Strategy to Deal with White Collar Crime," in H. Edelhertz and C. Rogovin, (eds.) *A National Strategy for Curtailing White Collar Crime*, Lexington Books, 1980.

"The Police and Weapons Offenses," *Annals of the American Academy of Political and Social Science* 452, November 1980.

"Limiting the Supplies of Drugs to Illicit Markets," *Journal of Drug Issues*, Spring 1979.

"Violent Attacks And Chronic Offenders: A Proposal For Concentrating The Resources Of New York's Criminal Justice System On The 'Hard Core' Of The Crime Problem," with James Q. Wilson and Ralph Gants, Albany, N.Y.: New York State Assembly, 1978.

"A Feasibility Estimate of a Policy Decision to Expand Methadone Maintenance," *Public Policy*, Vol.26, No.2, Spring 1978.

"Anatomy of the Heroin Problem: An Exercise in Problem Definition," *Policy Analysis*, Vol.II, No.4, Fall 1976.

"Drug Abuse and Crime: A Policy Perspective," Appendix to *Drug Use and Crime, Report of the Panel on Drug Use and Criminal Behavior*, National Institute on Drug Abuse and Research Triangle Institute, 1976.

"Policies to Achieve Discrimination of the Effective Price of Heroin," *American Economic Review*, Vol. LXIII, No.2, May 1973.

"The Problem of Heroin," with James Q. Wilson and I. David Wheat, *The Public Interest*, No.24, Fall 1972.

## **Selected Speeches, Presentations and Testimony**

### **1. Public Management, Public Policy, Voluntary Sector**

“The Competitive Struggle for Social Legitimacy,” Harvard Business School Alumni Re-Union 2009

“Social Entrepreneurship, Mass Mobilization, and Systems Change:” Keynote Address Skoll Conference on Social Entrepreneurship, Zaid Business School, Oxford University March, 2005

”Remarks: New Models of Governance and Accountability” Kennedy School of Government, Center on Business and Government 2004

“Creating Public Value – Take 2: Warwick Forum The Warwick forum on the Future of the Public Sphere” September 24-26, 2008

“Using Disciplined Knowledge to Create Public Value” Keynote Address Celebrating 50th Anniversary of IVA Tilburg University September 18, 2007

“The Voluntary Sector: A Recast View,” Keynote Address, Hauser Center 10<sup>th</sup> Anniversary Research Colloquium 2007

Scotland CFIA 2007

“Creating Public Value Through Public/Private Partnerships,” Keynote Address, CLAD IV Conference, SANTIAGO CHILE, OCTOBER, 2005

“What is Public Value? How do you Create It?” University of Warwick March 2004

“Creating Public Value: Political and Administrative Leadership in Local Government” Keynote Address SOLACE Annual Conference October 14, 2004 Brighton, England

“Creating Public Value: A Vision of Urban Governance” A Presentation for Progetto Citta’ Fiera Milano, 19-22 febbraio 2003

“Politics and the New Public Management” Seminar Presented to the Organization for Economic Development Paris, France January 29, 1997

“Creating Public Value: The Fundamental, Entrepreneurial Duty of Every Public Manager” Keynote Speech, For the 1996 European Foundation for Management Development Seminar on European Public Service Management Development, Dublin, Ireland, October 17, 1996



## Rosalie Liccardo Pacula, Ph.D.

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Senior Economist ▪ RAND Corporation ▪ 1776 Main St. ▪ Santa Monica CA 90407-2138 ▪  
(310) 393-0411 ext 6494 ▪ Internet: [pacula@rand.org](mailto:pacula@rand.org)

### EDUCATION

- Ph.D. Economics, Duke University, September 1995.  
**Thesis Title:** The Development of Demand for Intoxicating Substances by Adolescents  
**Fields of Study:** Health Economics, Labor Economics, Public Finance.
- M.A. Economics, Duke University, 1992.
- B.S. Political Science and Economics, Santa Clara University, 1990.

### PROFESSIONAL EXPERIENCE

- 2012 - Present Acting Director, Economics, Finance and Organization Unit, RAND Health, previously served as Acting Director from 2009-2010.
- 2007 - Present Professor, Pardee RAND Graduate School of Public Policy
- 2005 – Present Co-Director, Drug Policy Research Center, RAND
- 2005 – Present Senior Economist, RAND
- 1997 – Present Faculty Research Fellow, National Bureau of Economic Research
- 2002 – 2004 Economist, RAND
- 1998 – 2001 Associate Economist, RAND
- 1997 – 1998 Visiting Senior Research Analyst, Health Research and Policy Centers, University of Illinois at Chicago
- 1995 – 1998 Assistant Professor of Economics, School of Business Administration, University of San Diego

### PUBLICATIONS

#### Journal Articles

- Galenianos M, **Pacula RL** and Persico N (2012). "A Search-Theoretic Model of the Retail Market for Illicit Drugs" *Review of Economic Studies*, 79, 1239-1269.
- Caulkins JP, Kilmer B, MacCoun R, **Pacula RL**, and Reuter PR (2012). "Design Considerations for Legalizing Marijuana" *Addiction* 107(5): 865-871.
- Paddock, S, Kilmer B, Caulkins JP, Booth M. and **RL Pacula** (2012) "An Epidemiological Model for Examining Marijuana Use over the Life Course," *Epidemiology Research International*, vol. 2012, Article ID 520894, 12 pages, 2012. doi:10.1155/2012/520894.
- Burgdorf J, Kilmer B and **RL Pacula** (2011). Heterogeneity in the Composition of Marijuana Seized in California. *Drug and Alcohol Dependence* 117(1): 59-61.
- Pacula, RL**, Kilmer B, Grossman M, and F.Chaloupka (2010). Risks and prices: The role of user sanctions in marijuana markets. *The B.E. Journal of Economic Analysis & Policy*: 10(1): (Contributions), Article 11.
- MacCoun, R., **Pacula, RL**, Chiqui JF, Harris K, and P Reuter (2009) "Do Citizens Know Whether Their

Abridged.

State Has Decriminalized Marijuana? Assessing the Perceptual Component of Deterrence Theory” *Review of Law and Economics* 5(11): 347-371.

**Pacula, RL**; Ringel J; Dobkins C; and K Truong. (2008). “The Incremental Health Services Cost Associated with Marijuana Use” *Drug and Alcohol Dependence*, 92: 248-257.

Caulkins, J.P., and **RL Pacula** (2006). “Marijuana Markets: Inferences from Reports by the Household Population” *Journal of Drug Issues*, 36(1): 173-200.

**Pacula RL**; Chriqui J.F.; Reichman D.A.; and Terry-McElrath Y. (2002). “State Medical Marijuana Laws: Understanding the Laws and their Limitations” *Journal of Public Health Policy*. 23(4): 413-439.

### **Peer-Reviewed Books, Book Chapters, and Book Reviews**

**Pacula, RL**; MacCoun R; Reuter P.; Chriqui J.F.; Kilmer B.; Harris K; Paoli L; and C. Schaefer. (2005) “What does it mean to decriminalize cannabis? A cross-national empirical examination” in B. Lindgren and M. Grossman (Eds) Advances in Health Economics and Health Services Research Vol. 16: Substance Use: Individual Behavior, Social Interactions, Markets and Politics. Elsevier, Amsterdam pp.347-370

Hall, W. and **RL Pacula**. (2003). *Cannabis Use and Dependence: Public Health and Public Policy*. Melbourne, Australia: Cambridge University Press.

**Pacula, RL**; Grossman, M; Chaloupka, F.J.; P. O’Malley; L.D. Johnston and M.C. Farrelly. (2001) “Marijuana and Youth” (pp. 193-191). In Jonathan Gruber (Ed.), *Risky Behavior Among Youths: An Economic Analysis*. Chicago, IL: University of Chicago Press.

### **Peer-Reviewed Monographs, Reports and Congressional Testimony**

Kilmer B, JP Caulkins, **RL Pacula**, RJ MacCoun and PH Reuter (2010). *Altered State? Assessing How Marijuana Legalization in California Could Influence Marijuana Consumption and Public Budgets.*” RAND Occasional Paper OP315. Santa Monica, CA: RAND

Kilmer B and **RL Pacula** (2009) “Estimating the size of the global drug market: A demand-side approach” RAND Technical Report TR-711-EC. Cambridge, UK: RAND Europe.

**Pacula RL** (2009) “Legalizing Marijuana: Issues to Consider Before Reforming California State Law” Testimony presented before the California State Assembly Public Safety Committee, Sacramento, CA October 28, 2009. RAND Congressional Testimony CT-334. Santa Monica, CA: RAND.

**Pacula RL** (2008). “What Research Tells Us About the Reasonableness of the Current Priorities of National Drug Control” Testimony presented before the House Oversight and Government Reform Committee, Subcommittee on Domestic Policy, Washington DC, March 12, 2008. RAND Congressional Testimony CT-302.

### **FUNDED RESEARCH**

Principal Investigator on a grant from the National Institute on Drug Abuse entitled “Implementation of Medical Marijuana and its Impact on Health” September 2011 through August 2015.



Principal Investigator on a grant from the National Institute of Drug Abuse entitled "Are There Economic Costs to Marijuana Use?" February 05, 2000 through January 31, 2004. Received continuing renewal grant for August 2004 through July 2007.

Principal Investigator on a grant from the Robert Wood Johnson foundation entitled "Exploring the Relationship Between Marijuana Policy and Price" January 2004 through December 2005.

Principal Investigator on a grant from the Robert Wood Johnson Foundation entitled "Within- and Cross-National Analyses of the Effects of Cannabis Depenalization" July 01, 2002 through June 30, 2005.

## **Deborah Piccard, M.C.P**

**Current Employment:** Research Associate for BOTEK Analysis Corporation (part-time) and in private practice (counseling/psychotherapy).

**Licenses:** Licensed Mental Health Counselor in Washington State

**Special interest and expertise:** Substance use and abuse; drug initiation, research design; focus groups and mediation.

### **Education**

**Undergraduate:** B.A. in psychology major (highest honors) University of California at Santa Cruz 1980- 1983

**Masters in Counseling Psychology,** Harvard University (Graduate School of Education) 1984- 1986.

**Post graduate fellowship:** Harvard Medical School (Neurobiology) under the Brain, Mind and Behavior Initiative 1993-95

### **Relevant Work Experience:**

**2007 – Present** Research Associate for BOTEK Analysis Corporation.

**2000- Present:** Psychotherapist with expertise in working with substance users and abusers.

**1994-95 Principal Investigator:** Conducted first federally funded study of the Rave Scene (Youth Drugs and Raves) funded by the National Institute of Justice through Abt associates. Designed study and led a team of five researchers in NYC and four in San Francisco, handled budget and administration as well as recruiting and training of research team; conducted survey, in-depth interviews with rave goers, focus groups with stakeholders; wrote final report for NIJ made harm reduction recommendations.

**1993-95 Post graduate fellowship:** Neurobiology, Harvard Medical School. Under the Brain, Mind and Behavior Initiative explored substance use and abuse (with a focus on illicit substances) from a multi-disciplinary perspective. Conducted original research, made presentations, helped organize conference on substances of abuse.

**1988-91 Research Associate on first federally funded study of MDMA users -**  
Study design and implementation; located and recruited subjects and located and interviewed illicit drug manufacturers and dealers to learn the history and extent and spread of MDMA over time. Duties included locating subjects, including drug manufacturers and dealers, conducting confidential interviews, analysis of the largely qualitative data and writing final report for the National Institute of Drug Abuse. (NIDA R0 1 DA04408.)

**1984-1988 Earth Metabolic Laboratories** Coordinated the legal defense of MDMA during the federal hearing process. Recruited and educated witnesses; helped with legal strategy; coordinated first human research study; educated legislators and advisors on the issues; fielded media inquiries, organized invitational academic conferences and conducted focus groups.

**Publications:**

Beck, J., Harlow, D., McDonnell, D., Morgan, P., Rosenbaum, M., & Watson, L. (1989). *Exploring ecstasy: A description of MDMA users* (Grant No. 1 R0 1 DA04408). Final report to the National Institute on Drug Abuse.

Harlow, Galloway, Jesse, Presti (1994) Poster and presentation to College on Problems of Drug Dependence. Report on drug use and drug initiation by young teens in the Rave Scene in San Francisco and New York.

Harlow, *et al.* (1995) Raves, Youth and Drugs (NIJ grant) Abt Associates. Report to the National Institute of Justice identifying patterns of use of marijuana, mdma, lsd and novel drugs of abuse including drug initiation by young teens in the rave scene.

## CURRICULUM VITAE

**Name:** Sally L. Satel, M.D.

**Born:** January 9, 1956, New York City, New York

**Education:** BS, Cornell University, 1977  
MS, University of Chicago, 1980  
MD, Brown University, 1984

**Career:** 1984-85: Intern, Flexible Internship, Hospital of St. Raphael, Yale University School of Medicine, New Haven, CT  
1985-88: Resident in Psychiatry, Yale University School of Medicine, New Haven, CT  
1988-93: Staff psychiatrist, West Haven VA Medical Center, Yale University School of Medicine, New Haven, CT  
1993-94: Robert Wood Johnson Health Policy Fellowship, U.S. Senate Labor and Human Resources Committee, Washington, DC  
1995-96: Consultant to the U.S. Senate Special Committee on Aging, Washington, DC  
1995-96: Staff Psychiatrist, District of Columbia Superior Court Pretrial Program, Washington, DC  
1994-96: Visiting Research Scientist, University of Pennsylvania School of Medicine, Philadelphia, PA  
1988-95: Assistant Professor of Psychiatry, Yale University School of Medicine (Member medical school admissions committee, 1990-1993), New Haven, CT  
1996-97: Professional Staff, U.S. Senate Veterans' Affairs Committee, Washington, DC  
1995-Present: Lecturer, Yale University School of Medicine, New Haven, CT  
1997-2009: Staff Psychiatrist, Oasis Clinic, Washington, DC  
2010 to Present: Psychiatric consultant PIDARC (Partners in Drug Abuse Rehab and Counseling)  
2000-Present: Resident Scholar, American Enterprise Institute, Washington, DC  
2002-Present: W.H. Brady Fellow, American Enterprise Institute, Washington, DC

**Publications for the Past 10 Years:** Please see the attached.

### Peer Reviewed Articles

- Satel, S. (2006). Is caffeine addictive? – A review of the literature. *American Journal of Drug and Alcohol Abuse*, 32(4): 493-502.
- Caulkins, J., & Satel, S. (1999). Methadone patients should not be allowed to persist in cocaine use. *FAS Drug Policy Analysis Bulletin*, 6(January).
- Satel, S. L. (1999). What should we expect from drug abusers? *Psychiatric Services*, 50(7):861.
- Satel, S. L. (1995). When disability benefits make patients sicker. *New England Journal of Medicine*, 333(12):794-6.
- Satel, S. L., & Glazer, W. M. (1993). Supporting addiction with public funds. *Hospital and Community Psychiatry*, 44(10):913.
- Satel, S. L. (1993). The diagnostic limits of "addiction". *Journal of Clinical Psychiatry*, 54(6):237-8.
- Southwick, S. M., & Satel, S. L. (1990). Exploring the meanings of substance abuse: an important dimension of early work with borderline patients. *American Journal of Psychotherapy*, 44(1):61-7.

### Books

- Hoff Sommers, C., & Satel, S. (2005). *One nation under therapy: How the helping culture is eroding self-reliance*. New York, NY: St. Martin's Press.
- Satel, S. (2001). *PC, M.D. How political correctness is corrupting medicine*. New York, NY: Basic Books.

### Book Chapters

- Satel, S. (2002). Is drug addiction a brain disease? In Musto, D. F. (Ed.). *One hundred years of heroin*. Westport, CT: Auburn House.
- Satel, S., & Farabee, D. J. (2004) The role of coercion in drug treatment. In Lowinson, J. H., Ruiz, P., Millman, R. B., & Langrod, J. G. (Eds.). *Substance abuse: A comprehensive textbook* (4<sup>th</sup> ed.). Philadelphia, PA: Lippincott Williams & Wilkins.

### Monographs

- Klick, J., & Satel, S. (2006). *The health disparities myth: Diagnosing the treatment gap*. Washington, DC: AEI Press.
- Satel, S. (1998) Drug Treatment: The Case for Coercion. Washington, DC: AEI Press
- Satel, S., & Goodwin, F. K. (1998) *Is drug addiction a brain disease?* Washington, DC: Ethics and Public Policy Center.

# MICHAEL SAUTMAN

1519 Palm Avenue Richmond, CA 94805 USA • 510-528-5070 • msautman@gmail.com

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Biography – During the 1980s I worked worldwide with a variety of international NGOs in the field of rural development aid. In 1990, I formed the first private American joint-venture in Mongolia which manufactured cashmere products for export. In 1995, I established the first industrial cashmere manufacturing factory in Lhasa, Tibet, PRC. My U.S. cashmere manufacturing company (1990-2005) produced for high-end stores, like Saks 5<sup>th</sup> Ave, and well-known New York designers. Since 2007, my mission has been to create a North American supply-chain for pharmaceutical-grade medicinal cannabis.

## SUMMARY OF QUALIFICATIONS

Senior Level Manager with 30 years of management experience, a Master's degree in International Administration, over 25 years of experience in manufacturing natural products and 5 years as an entrepreneur in the regulated cannabis industry.

- Experienced in international development programs
- Especially skilled at supply chain solutions
- Proven ability to manage industrial plant operations
- Expertise in manufacturing natural fiber products and medicinal cannabis

## EXPERIENCE

**Bedrocan International, Inc.**, Kensington, California 2009 to 2011  
**CEO**

- Developed global manufacturing opportunities for Bedrocan BV
- Began a drug development program for cannabis as an approved medicine in Canada
- Managed the core science and business teams

**Global Family Village, Inc.**, El Cerrito, California 2007 to 2009  
**Chairman**

- Organized expansion of programs serving orphans in Nepal
- Developed fundraising strategies for the Executive Director

**California Cashmere Co., Inc.**, Berkeley, California 1990 to 2005  
**President**

- Founder of a vertically-integrated cashmere manufacturing company
- Developed joint-ventures in Mongolia (Monamco, Inc.) and Tibet (Tibet Plateau Cashmere Co.)
- Marketed private label and branded products to U.S. retailers and designers

**International Development Consultant, Asia** 1981 to 1990  
**Program/Product Manager**

- Project design and implementation
- Conducted oversight of existing programs

## EDUCATION

**Masters in International Administration**, 1981  
School for International Training, Vermont  
Trained to manage non-profit international development programs

**Bachelors in Political Science**, University of California, Berkeley 1975  
With a focus on Asian Studies and high-altitude pastoral nomadic cultures

## INTERESTS

Aviation (Commercial Pilot License), Amateur radio (KM6OT), Scuba Diving

## REFERENCES

Available upon request

Born 1921.

Distinguished University Professor, Emeritus, University of Maryland and  
Lucius N. Littauer Professor of Political Economy, Emeritus, Harvard University.

A.B. Economics, U.C. Berkeley, 1944. Ph.D. Economics, Harvard University, 1951.

The U. S. Bureau of the Budget, 1945-46.

The Economic Cooperation Administration in Europe, 1948 to 1950.

The White House and Executive Office of the President, 1951-1953.

Associate Professor and Professor of Economics, Yale University, 1953-58.

The RAND Corporation, 1958-59.

Professor of Economics, Harvard University, 1958-90.

John F. Kennedy School of Government, Harvard University, 1969-90.

Department of Economics and School of Public Policy, University of Maryland, 1990-2005.

Member, The National Academy of Sciences.

Member, The Institute of Medicine.

Fellow, The American Academy of Arts and Sciences.

The Frank E. Seidman Distinguished Award in Political Economy.

Distinguished Fellow of the American Economic Association.

The National Academy of Sciences Award for Behavioral Research Relevant to the Prevention of  
Nuclear War.

President, The American Economic Association, 1991.

The Bank of Sweden Prize in Economic Sciences in Honor of Alfred Nobel Prize, 2005

Publications on military strategy and arms control, energy and environmental policy, climate change, nuclear proliferation, terrorism, organized crime, foreign aid and international trade, conflict and bargaining theory, racial segregation and integration, the military draft, health policy, tobacco and drugs policy, and ethical issues in public policy and in business.

Books:

National Income Behavior, McGraw-Hill 1951

International Economics, Allyn and Bacon 1958

The Strategy of Conflict, Harvard University Press 1960

Strategy and Arms Control (with Morton H. Halperin), Twentieth Century Fund 1961

Arms and Influence, Yale University Press 1966

Micromotives and Macrobehavior, W. W. Norton and Co. 1978

Thinking Through the Energy Problem, Committee for Economic Development 1979

Choice and Consequence, Harvard University Press 1984

Strategies of Commitment, and Other Essays, Harvard University Press, 2006

Curriculum Vitae  
January, 2013

**Eric E. Sterling**

Born, October 25, 1949, New York, NY, U.S. Citizen.

Home: 2805 Blaine Drive, Chevy Chase, MD 20815 Tel. 301-588-5238.

**Office:**

President, Criminal Justice Policy Foundation (since 1989)  
8730 Georgia Avenue, Suite 400, Silver Spring, MD 20910  
Tel. 301-589-6020, Cell 202-365-2420, Fax 301-589-5056

**Education**

Juris Doctor, 1976, Villanova University School of Law, Villanova, PA  
Bachelor of Arts, 1973, Haverford College, Haverford, PA (Major in Religion)

**Professional Licensure**

Admitted to the Supreme Court of the United States, 1980.  
Admitted to the Supreme Court of Pennsylvania, 1976 (inactive).

**Honors and Awards**

Stuart Abelson Goodwill Award, Students for Sensible Drug Policy, 2011.  
David Borden Award, Students for Sensible Drug Policy, 2008.

**Previous Professional Positions**

President, The Criminal Justice Policy Foundation, 1989-current  
Assistant Counsel, Subcommittee on Crime, Committee on the Judiciary,  
U.S. House of Representatives, 1981-1989.  
Assistant Counsel, Subcommittee on Criminal Justice, Committee on the Judiciary,  
U.S. House of Representatives, 1979-1981.  
Assistant Public Defender, Delaware County, Pennsylvania, 1976-1979.

**Academic Appointments**

Adjunct Lecturer in Sociology, The George Washington University  
Introduction to Criminal Justice, Spring 2008.  
Deviance and Social Control, Spring 2007.  
Guest Lecturer, American University, Washington Semester Program, 2000 – 2006.  
Guest Lecturer, Howard University School of Law, Course on Race and Criminal Justice,  
1996 - 2005.  
University of Colorado, Boulder, Conference on World Affairs, 1990-1998.  
Adjunct Professor, Washington Lutheran College Program, Fall, 1996.  
Adjunct Professorial Lecturer, The American University, School of Justice, Law and Society  
Organized Crime, Spring, 1986.  
International Narcotics Policy, Spring, 1984.



**Professional Memberships**

American Bar Association, current, since 1987.

Health Law Section, Task Force on Substance Use Disorders, Co-Vice Chair, Advisory Committee, current (formerly the Standing Committee on Substance Abuse), since 1993 (approx.).

Chair, Criminal Law Committee, Section on Individual Rights and Responsibilities, 1995 (approx.).

National Association of Criminal Defense Lawyers, current, since 1985.

Washington Council of Lawyers, current, since 2004 (approx.).

New York City Bar Association, Committee on Drugs and the Law, current, since 2004 (approx.).

Maryland State Bar Association, current, since 2009.

**Bibliography**

**Publications - Journals**

“Drug Policy: A Challenge of Values,” 23 JOURNAL OF RELIGION & SPIRITUALITY IN SOCIAL WORK 1/2:51-81, 2004.

“Drug Laws and Thought Crime,” 10 TEMPLE POLITICAL & CIVIL RIGHTS LAW REVIEW 2:327-336, Spring 2001.

“Overview of Drug Policy Effectiveness,” XXVIII FORDHAM URBAN LAW JOURNAL 1:53-63, October 2000.

“Drug Policy: A Smorgasbord of Conundrums Spiced by Emotions Around Children and Violence,”

31 VALPARAISO UNIVERSITY LAW REVIEW 2:597-645, Spring 1997.

“The Sentencing Boomerang: Drug Prohibition Politics and Reform,” 40 VILLANOVA LAW REVIEW 2:383-427, 1995.

**Publications – Book Chapters**

“Foreword,” to Christopher Glenn Fichtner, M.D., *Cannabinomics: The Marijuana Policy Tipping Point*, Northbrook, Illinois: Well Mind Books, 2010.

“Principles and Proposals for Managing the Drug Problem,” in Jefferson M. Fish (ed.), *How to Legalize Drugs*, Northvale, NJ: Jason Aronson, Inc., 1998.

**Publications – Other Magazines**

“The War on Drugs Hurts Businesses and Investors,” in *Forbes.com*, March 1, 2012.

“U.S. Drug Policy: Failure at Home,” in *Foreign Policy in Focus*, May 2002.

Abridged.

"Friendly Fire: Rethinking the War on Drugs from a Quaker Perspective, in *Haverford College Alumni Magazine*, Spring 2000.

"The War on Drugs in Context," in *The Drug Policy Letter*, March/April 1999.

"A Roadmap to the Crime Bill," cover story in *Public Management*, January 1995.

"A Crime Prevention Vision," in *Christian Social Action*, November, 1993.

### **Selected Television and Radio Programs**

"Drug Use Should Be Decriminalized," *Two Way Street*, Episode 1, PBS nationwide and <http://www.twowaystreet.tv/>, WETA-TV26, Washington, D.C., Feb. 6, 2010.

"Morning News," KHON-TV Channel 2, Honolulu, HI, July 18, 2007.

"NPR's Morning Edition," Hawaii Public Radio, Wayne Yoshioka, July 17, 2007.

"Crack Cocaine Sentencing Rules Hit 20" by Libby Lewis, *Morning Edition*, National Public Radio, October 27, 2006.

### **Recent Presentations**

"Regulation of legal marijuana: advocacy on behalf of a range of clients," University of Maryland School of Law, January 22, 2013

Lecture on Mandatory Minimum Sentences, University of Virginia School of Law, October 22, 2012.

"Drug Reform: Intersection of Law and Policy," University of Maryland School of Law, June 13, 2012.

"Obama: Drug War Hawk or Dove? Current Policy and Prospects for Change," Department of History, Pomona College, Claremont, CA, November 2, 2011.

"Combating Racial Disparity in Sentencing," Mid-Atlantic Regional Conference, SSDP, Northern Virginia Community College, Woodbridge, VA, October 22, 2011.

"The American Justice System: Law Enforcement and the Courts," International Visitor Leadership Program, U.S. Department of State, March 4, 2011.

George Washington University Law School, Marijuana Legal Issues, October 27, 2010.

Council of the District of Columbia, Hearing on medical marijuana legislation, Feb. 23, 2010.

Virginia House of Delegates testimony on behalf of Law Enforcement Against Prohibition on marijuana legislation, Jan. 27, 2010.

National Association of Boards of Pharmacy, Annual Symposium, "Legalization of Medical Marijuana," Tucson, AZ, Dec. 3, 2009.

## **Randall Louis ("Luigi") Zamarra**

Tel: 415-568-7004 Email: luigi@luigicpa.com

### ***Chief Financial Officer Experience***

#### Harborside Health Center, CFO, February 2010 to November 2011

As the first CFO of the \$27 million medical marijuana industry leader, had tremendous impact on the company's success. Cut significant costs, improved internal controls, and instituted a budgeting process. Assumed role of industry leader for key industry income tax issue, including correspondences with the Commissioner of the IRS and lobbying on Capitol Hill. Assisted with the drafting of HR 1840 proposed by Rep. Pete Stark in the 112 Congress. Primary reviewer of legal contracts and negotiator for all important transactions, including the roll-out of new business model for intellectual property.

### ***Work Experience: 25 Years as a CPA, 12 with the Big 4 Firms***

#### Ernst & Young, Senior Accountant, Jan. 1987 to Dec. 1990

Managed the preparation of tax returns for C corporations, S corporations, partnerships, LLCs and closely held businesses. Gained exposure to a wide variety of tax issues across many different industries.

#### Pricewaterhouse Coopers, Director, Dec. 1990 to Apr. 1999

Rising from Manager to Senior Manager to Director, serving medium and large sized clients in a wide variety of businesses and industries. Developed deep expertise in many different facets of tax law, including international tax issues, state & local income tax issues, sales & use taxes, property taxes, payroll taxes, and compensation benefit tax issues. Responsibilities grew from overseeing the preparation of tax returns and coordination with the accounting & auditing client service staff, to managing client relationships and ultimately being responsible for new business development. Managed a staff of 3.5 full-time equivalents, including hiring and human resource development responsibilities. Responsible for generating approximately \$700,000 in annual gross revenues across various client service teams. Conducted many public speaking engagements regarding new and developing tax laws to various trade organizations, and to existing and potential clients. Key member of the High Technology Team, serving clients in both the hardware and software industries. Leader of the Research Tax Credit practice for the Pacific Northwest Region.

#### Shea Labagh Dobberstein, Senior Manager, Feb. 2002 to Jan. 2003

Managed client relationships and was primarily responsible for the filing of federal and state income tax returns for medium sized businesses operating as C corporations, S corporations, partnerships and LLCs. Began the development of my own client base loyal to me personally.

Daoro Zydell & Holland, Senior Mgr. & Director of Marketing, Feb. 2003 to Dec. 2005

Continued the development of my own loyal client base, greatly expanding firm revenues. Responsible for income, property, payroll, and sales & use tax planning and consultation, and for managing the preparation of all income tax returns for all business clients for the firm. Developed focused industry expertise in the professional services, real estate and financial services industries. Engaged for numerous public speaking events for various trade associations.

Wertheimer Dress & Co., (no title) Jan. 2006 to Dec. 2006

Continued the development of my own loyal client base. Reviewed the accounting and managed the preparation of federal and state income tax returns for a variety of mid-sized businesses and high-net-worth individuals. Active participant in several trade associations. Sold my interests to my partner.

Henry C. Levy & Co., CPAs, (no title) Jan. 2012 to present

Top-level reviewer of all tax returns for the firm. Continued the development of tax planning strategy for medical marijuana industry-wide tax issue of IRC Section 280E for which I am viewed as an expert leader.

***Education: Two Quality Business Degrees***

Bachelor of Science in Commerce, University of Virginia, May 1984

Master of Science in Accounting, University of Virginia, August 1986

The University of Virginia business school is nationally ranked and recognized as one of the best accounting schools in the United States.

***World Traveler: Over 1000 localities in 76 Countries on 6 Continents***

From May 1999 to December 2001, and again from January 2007 to July 2009

Explored the Earth *as few others have*. As an experienced independent traveler, developed an understanding of world markets and foreign business practices, and the ability to relate to a variety of people across many cultural backgrounds. Gained the ability to be intrepid, resourceful and to think through any situation.

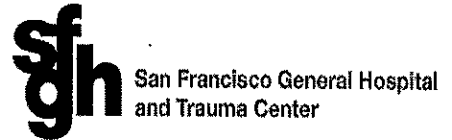
***Other Useful Information:***

Published several articles on tax law in Tax Advisor magazine and The Recorder.

University of California  
San Francisco



DEPARTMENT OF MEDICINE  
HEMATOLOGY/ONCOLOGY



995 Potrero Avenue  
Building 80, Ward 84  
San Francisco, CA 94110  
Tel: 415/476-4082  
Fax: 415/502-6056

February 13, 2013

Mr. Steven Davenport,  
Managing Director  
BOTEC Analysis Corporation  
73 Fayerweather St.  
Cambridge, MA 02138

Re: Subcontracting for RFP K430 Initiative 502 Consulting Services

Donald I. Abrams, MD has read the Washington State Liquor Control Board RFP K430 Initiative 502 Consulting Services, and agrees to the terms and conditions and all requirements presented. He is prepared to meet all requirements established for Contractor staff as a subcontractor for BOTEC Analysis Corporation,

Sincerely

A handwritten signature in black ink, appearing to read 'Donald I. Abrams', with a long horizontal flourish extending to the right.

Donald I. Abrams, MD  
Chief, Hematology-Oncology  
San Francisco General Hospital  
Professor of Clinical Medicine  
University of California San Francisco



February 13, 2013

BOTEC Analysis Corporation  
73 Fayerweather St.  
Cambridge, MA 02138  
Mr. Steven Davenport,  
Managing Director

Re: Subcontracting for RFP K430 Initiative 502 Consulting Services

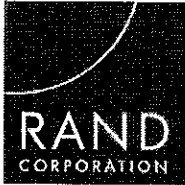
National Medical Services, Inc. (dba NMS Labs), 3701 Welsh Rd, Willow Grove, PA 19090, has read the Washington State Liquor Control Board RFP K430 Initiative 502 Consulting Services, and agrees to the terms & conditions and all requirements presented. We are prepared to meet all requirements established for Contractor staff as a subcontractor for BOTEC Analysis Corporation,

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Haneman". The signature is fluid and cursive, written over a light blue horizontal line.

Patricia Haneman  
Director of Forensic Strategic Business Unit  
NMS Labs  
3701 Welsh Road  
Willow Grove, PA 19090

REFERENCE AGREEMENT: Executed Subcontractors Agreement NMS Labs/BOTEC dated 2/11/13



1776 Main Street  
Santa Monica, CA  
90401

TEL 310.393.0411  
FAX 310.451.6973

February 14, 2013

Mr. Steven Davenport  
BOTEC Analysis Corporation  
73 Fayerweather St.  
Cambridge, MA 02138

Proposal No. 2013-0495

**Attention:** Managing Director

**Subject:** "Report on the size of the marijuana market in Washington State" –  
RAND PI: Beau Kilmer

**Reference:** Subcontracting for RFP K430 Initiative 502 Consulting Services

Dear Steven Davenport:

RAND Corporation has read the Washington State Liquor Control Board RFP K430 Initiative 502 Consulting Services, and largely agrees to the terms & conditions and requirements presented. However, if selected, RAND respectfully reserves the right to negotiate mutually agreeable contract terms, particularly in the areas of intellectual property and publications rights. Upon completion of the above negotiations, we will be prepared to meet all requirements established for Contractor staff as a subcontractor for BOTEC Analysis Corporation.

Our estimate for the proposed project is \$150,000 for the period April 1, 2013 through March 31, 2015. The authorized signer of any related agreements is Mr. Dennis Flieder, Director of the Office of Contract & Grant Services. If further technical information is required, please contact Dr. Beau Kilmer at 310-393-0411, extension 6005, or via email at kilmer@rand.org. If you have any administrative or financial questions, please contact the undersigned, at (310) 393-0411, extension 6625.

Sincerely,

  
Nick Byone  
Contract and Grant Administrator

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CANNABIS ANALYSIS LABORATORY

473 Roland Way Suite A • Oakland, CA 94621

To whom it may concern.

Steep Hill Lab has reviewed the contract for the Washington State I-502 RFP. We agree to all the standard terms and conditions as well as all other requirements presented.

Sincerely,

David Lampach

President/Co-founder Steep Hill Lab