



the  
**Drug Policy  
Forum**  
of hawai'i

**LATE**

March 16, 2010

To: Representative Ryan Yamane, Chair  
Representative Scott Nishimoto, Vice Chair and  
Members of the Committee on Health

From: Jeanne Y. Ohta, Executive Director

Re: SB 2745 SD2 Relating to Controlled Substances  
Hearing: Tuesday, March 16, 2010, 9:30 a.m., Conference Room 329

Position: Opposed

The Drug Policy Forum of Hawai'i writes in opposition to SB 2745 SD2 Relating to Controlled Substances. Specifically, DPFH opposes the addition of salvia divinorum to Schedule I of the controlled substances list; the most restrictive of all schedules. Salvia divinorum has NOT been added to the federal controlled substance list. After ten years of research, the DEA has not added salvia to Schedule I.

Salvia does not meet the criteria for Schedule I drugs. There are no studies suggesting that salvia is addictive or its users prone to overdose or abuse, the criteria for adding drugs to the controlled substances schedule. In fact, potential for addiction is extremely low; physical toxicity is extremely low—lower than tobacco; and acute impairment is moderately high, but of a very short duration, ten minutes or so. (*See attachments*)

There have been no documented cases of fatal or near fatal incidences involving the drug. Reports of salvia-related emergency room admissions are virtually non-existent, likely because its effects typically vanish in a few minutes.

At a time when financial resources are extremely strained, law enforcement has more serious matters and more dangerous drugs to deal with. Simply because a drug is an intoxicant does not mean it should be illegal. It does not make sense to add a drug to a schedule without the necessary scientific information.

The Drug Enforcement Administration (DEA) has spent more than a decade studying whether to add salvia to its list of controlled substances and has not done so. Bertha Madras, a deputy director of the Office of National Drug Control Policy (ONDCP) said that "there is an absence of good hard cold information" to schedule salvia.

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Drug Policy Forum of Hawaii

Salvia divinorum is an internet fad. Adding it to the controlled substances list will mainly criminalize teens and young adults. Criminal records create harms that far outweigh the dangers of the drug. Although teen use of any drug is concerning, by outlawing and prohibiting it, legislators will make the problem worse. Teen access to the drug can be curbed by enacting age controls and placing restrictions similar to those on tobacco and alcohol. Criminalizing drugs makes their access easier for young people because the criminal market does not check ID's for age. As a compromise, we suggest HB 1335 which restricts sales to minors.

Although the Department of Public Safety claims that there is no medical use for salvia, doctors at Johns Hopkins University School of Medicine are currently conducting research on Salvinorum A. Claiming that there is no medical use is premature, scheduling drugs in Schedule I prohibits almost all medical research on the drug. I have attached two documents from testimony to the Maryland Legislature by Dr. Matthew W. Johnson who is conducting research on salvia.

We urge the committee to remove the proposed scheduling of salvia from this measure. Scheduling of drugs should be made on scientific information. Public policy must not be made on myths, falsehoods and by sensationalized fear.