

TESTIMONY

HB2600, HD2

Measure Title: RELATING TO CONTROLLED SUBSTANCES.
Report Title: Controlled Substances
Description: Updates chapter 329, Hawaii Revised Statutes, to make it consistent with federal laws on controlled substances. (HB2600 HD2)
Companion: [SB2862](#)
Package: Gov
Current Referral: HTH/PGM
Introducer(s): SAY (Introduced by request of another party)

HTH/PGM
Committee Hearing
03-21-2012

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Blvd. 4th Floor
Honolulu, Hawaii 96813

JODIE F. MAESAKA-HIRATA
DIRECTOR

MARTHA TORNEY
Deputy Director of
Administration

JOE W. BOOKER, JR.
Deputy Director
Corrections

KEITH KAMITA
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 2600 HD2
A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES
Jodie F. Maesaka-Hirata, Director
Department of Public Safety

Senate Committee on Health
Senator Josh Green M.D., Chair
Senator Clarence K. Nishihara, Vice Chair

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

Wednesday, March 21, 2012, 3:00 p.m.
State Capitol, Room 229

Chairs Green and Espero, Vice Chairs Nishihara and Kidani, and Members of the
Committees:

The Department of Public Safety (PSD) supports House Bill (HB) 2600
HD2, this measure updates Hawaii's Uniform Controlled Substance Act Chapter
329, Hawaii Revised Statutes to be consistent with changes in Federal law as
required by Section 329-11 HRS.

There is a growing problem with synthetic hallucinogenic substances
being developed for sale to the public as "herbal incense" or "bath salts" in the
State and around the county. The Department's Narcotics Enforcement Division
(NED) as well as the United States Drug Enforcement Administration (DEA) has
attempted to protect the public by placing in the schedule the ever-increasing
number of synthetic cannabinoids and cathinones labeled as "not for human
consumption" but sold in retail shops with the promise of powerful hallucinogenic
"legal" highs.

On March 1, 2011, the DEA applied its emergency scheduling authority to temporarily control five chemicals (JWH-018, JWH-073, JWH-200, CP-47,497, and cannabicyclohexanol) used to make "fake pot" products. Except as authorized by law, this action will make possessing and selling these chemicals or the products that contain them illegal in the United States for at least one year, while the DEA and the United States Department of Health and Human Services (DHHS) further study whether these chemicals and products should be permanently controlled.

On June 1, 2011 Governor Neil Abercrombie signed into law Act 73, this placed the five synthetic cannabinoids (JWH-018, JWH-073, JWH-200, CP-47,497, and cannabicyclohexanol) as well as two synthetic stimulants classified as cathionones Mephedrone, also known as 4-methylmethcathinone (4-MMC), or 4-methylephedrone and Methylenedioxypropylamphetamine (MDPV) as Schedule I controlled substances.

There are other synthetic Cathionones which were not included in the schedule, such as:

- 3,4-methylenedioxypropylamphetamine
- 4-fluoromethcathinone
- 3-fluoromethcathinone
- 4-methylethcathinone
- 3,4-dimethylmethcathinone
- α -methylamino-butylphenone
- β -keto-ethylbenzodioxolylbutylamine
- 3,4-methylenedioxy-N-ethylcathinone
- 4-methoxymethcathinone
- α -pyrrolidinopropylphenone
- 3,4-methylenedioxypropylamphetamine
- α -pyrrolidinopentylphenone
- β -keto-N-methylbenzodioxolylpropylamine
- naphthylpropylamphetamine
- 4'-methyl- α -pyrrolidinopropylphenone
- β -keto-methylbenzodioxolylpentylamine
- 4'-methyl- α -pyrrolidinohexylphenone
- 4'-methyl- α -pyrrolidinobutylphenone
- α -phthalimidopropylphenone,
- N-ethylcathinone
- 4'-methyl- α -pyrrolidinohexylphenone

3,4-methylenedioxyppyrrolidinobutyrophenone

The following synthetic cannabinoids were also not included in the schedule:

JWH-250	JWH-307	RCS-4 (C4)
JWH-203	JWH-133	RCS-8
JWH-122	WIN-55,212-2	AM 2201
JWH-019	Pravadoline	AM-694
JWH-015	AM-1241	And many more!
JWH-251	CP 47,497 (C7)	
JWH-398	CP47,497 (C9)	
JWH-081	AM 1220	
JWH-370	RCS-4 (2-MeO)	
JWH-051	RCS-4	

There are over 100 compounds that have been identified with potencies of at least twice that of THC and that does not include numerous unpublished designer compounds.

HB 2600 HD2 incorporates a general chemical class approach intended to prevent manufacturers from simply adding an isomer on to an existing controlled substance and therefore making it a new non-controlled compound.

Thank you for the opportunity to testify on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE. (808) 529-3111 · INTERNET: www.honolulu-pd.org



PETER B. CARLISLE
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE JM-TA

March 21, 2012

The Honorable Josh Green, M.D., Chair
and Members
Committee on Health
The Honorable Will Espero, Chair
and Members
Committee on Public Safety, Government
Operations, and Military Affairs
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chairs Green and Espero and Members:

Subject: House Bill No. 2600, H.D. 2, Relating to Controlled Substances

I am John McEntire, Major of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports House Bill No. 2600, H.D. 2, Relating to Controlled Substances.

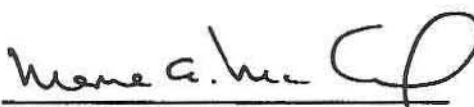
The passage of this bill will update chapter 329, Uniform Controlled Substances Act, Hawaii Revised Statutes, to be consistent with that of federal law and recent federal emergency scheduling of hallucinogenic compounds. It will assist law enforcement agencies in their efforts to address the growing problem of synthetic drugs.

The Honolulu Police Department urges you to support House Bill No. 2600, H.D. 2, Relating to Controlled Substances.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,


LOUIS M. KEALOHA
Chief of Police


JOHN McENTIRE, Major
Narcotics/Vice Division

Serving and Protecting With Aloha