

William P. Kenoi  
*Mayor*



Harry S. Kubojiri  
*Police Chief*

Paul K. Ferreira  
*Deputy Police Chief*

## County of Hawai'i

### POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawai'i 96720-3998  
(808) 935-3311 • Fax (808) 961-8865

February 25, 2013

Senator Clayton Hee  
Chairperson and Committee Members  
Committee On Judiciary and Labor  
415 South Beretania Street, Room 016  
Honolulu, Hawai'i 96813

**Re: Senate Bill 472, Relating to Marijuana**

Dear Senator Hee:

The Hawaii Police Department strongly opposes the proposed bill. As written, this bill would make possession of one ounce or less of Marijuana a Civil violation, subject to no more than a \$100 fine.

This bill is flawed in failing to address some fundamental Health issues. First and foremost, Marijuana contains a mind-altering substance. Hawai'i is constantly facing a myriad of both physiological and psychological problems associated with Marijuana use. The University of Mississippi's National Center for Natural Products Research, in their January 2010 "Potency Monitoring Project Quarterly Report 107, revealed that since 1998 through 2008, the average potency of THC percentage content in Marijuana rose from 5% to 10%. This study, in its most basic interpretation, means this mind-altering substance is getting stronger and would lead one to conclude it is, therefore, having a greater effect on the user.

In addition, we are also concerned about the message that decriminalization will send. First of all, a maximum civil fine of \$100 fails to take into account the fact that the current market value of one ounce of Marijuana is \$250 to \$400. Secondly, it may have prosecution/judicial ramifications in those instances where the user has both an ounce and less of Marijuana, while at the same time illegally possessing other Schedule I drugs, where one is civil and the other criminal.

SENATOR CLAYTON HEE, CHAIRPERSON AND COMMITTEE MEMBERS  
COMMITTEE ON JUDICIARY AND LABOR  
RE: SENATE BILL 472, RELATING TO MARIJUANA  
FEBRUARY 25, 2013  
PAGE 2

The Medical Marijuana Program is already in place for those individuals who have been determined to need medicinal marijuana in order to improve upon their quality of life. We are concerned as to the message we are sending to society if we allow the blatant possession and/or consumption of Marijuana.

By decriminalizing Marijuana, no matter what the amount is, the clear message being sent to our communities, to include our impressionable youth, is that Marijuana consumption is acceptable and harmless. That is not the case and, as such, the current statutes governing Marijuana possession and consumption should not be decriminalized.

For these reasons, we urge this committee to reject this legislation. Thank you for allowing the Hawai'i Police Department to testify on Senate Bill No. 472.

Sincerely,

A handwritten signature in cursive script that reads "Harry S. Kubojiri".

HARRY S. KUBOJIRI  
POLICE CHIEF

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET - HONOLULU, HAWAII 96813  
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KIRK W. CALDWELL  
MAYOR

LOUIS M. KEALOHA  
CHIEF

DAVE M. KAJIHIRO  
MARIE A. McCAULEY  
DEPUTY CHIEFS

OUR REFERENCE **JI-TA**

February 26, 2013

The Honorable Clayton Hee, Chair  
and Members  
Committee on Judiciary and Labor  
State Senate  
Hawaii State Capitol  
415 Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Hee and Members:

Subject: Senate Bill No. 472, Relating to Marijuana

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

The Honolulu Police Department opposes Senate Bill No. 472, Relating to Marijuana.

This bill seeks to amend chapter 329, Uniformed Controlled Substances Act; chapter 302A, Education; and chapter 353, Corrections; Hawaii Revised Statutes, by adding a new section establishing the possession of one ounce or less of marijuana as a civil violation subject to a fine not to exceed \$100.

According to the White House Office of National Drug Control Policy (ONDCP), marijuana use can lead to significant health, safety, social, and learning or behavioral problems, especially for young users. Marijuana also has a high potential for abuse and can result in addiction. According to the Alcohol and Drug Abuse Division of the State of Hawaii Department of Health, 31.3 percent of those admitted for treatment in 2009 stated that marijuana was their primary substance of abuse.

Furthermore, the ONDCP also reports that while marijuana legalization proponents claim that enforcement costs wastes taxpayer's money, legalizing marijuana would not cut the costs of the criminal justice system. This merely widens availability and misuse, no matter what controls are in place.

The Honorable Clayton Hee, Chair  
and Members  
Page 2  
February 26, 2013

This bill serves as a virtual legalization of marijuana because the provisions contained within make violations virtually unenforceable. Traffic violations are enforceable because drivers are identified; those who do not present a valid license are subject to arrest. Marijuana violators, on the other hand, could easily refuse to identify themselves or present false information.


The Honolulu Police Department strongly urges you to oppose Senate Bill No. 472, Relating to Marijuana.

Thank you for the opportunity to testify.

Sincerely,

  
JERRY INOUE, Major  
Narcotics/Vice Division

APPROVED:

  
LOUIS M. KEALOHA  
Chief of Police



ALAN M. ARAKAWA  
MAYOR

OUR REFERENCE  
YOUR REFERENCE

## POLICE DEPARTMENT COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411



GARY A. YABUTA  
CHIEF OF POLICE

CLAYTON N.Y.W. TOM  
DEPUTY CHIEF OF POLICE

February 25, 2013

The Honorable Clayton Hee, Chair  
And Members of the Committee on Judiciary and Labor  
The Senate  
State Capitol  
Honolulu, Hawaii 96813

**RE: SB 472, RELATING TO MARIJUANA**

Dear Chair Hee and Members of the Judiciary and Labor Committee:

The Maui Police Department strongly **opposes** the passing of Senate Bill No. 472.

This bill establishes a civil violation for possession of one ounce or less of marijuana that is subject to a fine of not more than \$100.

The Maui Police Department opposes this measure as it sends the wrong message to the community. We feel it will increase the demand for marijuana and will have negative effects with increased negative social issues and problems associated with drug addictions.

If this bill becomes law and only becomes a civil offense for the possession of one ounce or less of marijuana, the amount of marijuana will be increased in our community. Just for the committee's information, with the possession of one ounce of marijuana for personal use, it is commonly known that one ounce (28.35 grams) of marijuana can produce approximately 56 marijuana cigarette joints. One person with 56 marijuana joints on a daily basis cultures an atmosphere for total abuse, as the excess will be sold or distributed and put out on the streets in our communities.

Marijuana is still a Schedule I Drug in both the federal and state legal systems. This means it has a high propensity for abuse and very little if any medicinal value. In Hawaii, possession of an ounce or more should continue to be a misdemeanor, in accordance with the Hawaii Revised Statutes, as it is punishable by a maximum of one-year imprisonment, and a \$2,000 fine. To decriminalize a misdemeanor is not in the best interest of the community, which still complains of marijuana propagation, dealing, and open smoking.

According to the Hawaii Substance Abuse Treatment Admissions report in fiscal year 2009, 22.5% of those admitted for substance abuse treatment were for marijuana.

Honorable Clayton Hee, Chair  
And Members of the Committee on Judiciary and Labor  
February 26, 2013  
Page 2

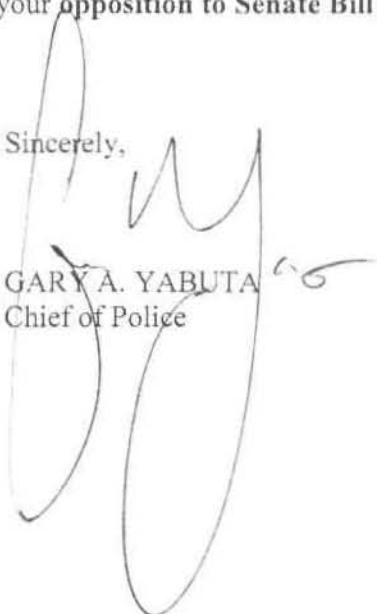
addiction and it ranked third after methamphetamine and alcohol. This figure depicts Hawaii as already having an addiction issue to marijuana, and we do not need to decriminalize an already illegal drug to add to this addiction problem, nor do we need to add to the affliction caused to society since the legalization of alcohol and tobacco.

The Maui Police Department again asks for your **opposition to Senate Bill No. 472.**

Thank you for the opportunity to testify.

Sincerely,

GARY A. YABUTA  
Chief of Police





46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

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## TESTIMONY FOR SENATE BILL 472, RELATING TO MARIJUANA

Senate Committee on Judiciary and Labor  
Hon. Clayton Hee, Chair  
Hon. Maile S.L. Shimabukuro, Vice Chair

Tuesday, February 26, 2013, 10:00 AM  
State Capitol, Conference Room 016

Honorable Chair Hee and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in strong support of SB 472, relating to marijuana.

More than a decade ago, former governor Ben Cayetano legalized the use of medical marijuana, allowing thousands of patients suffering from painful, debilitating illnesses to take advantage of cannabis's analgesic effects. This bill would not legalize and tax marijuana possession. Yet, according to poll results commissioned by the Drug Policy Action Group (conducted by Qmark Research) that were released early this year, 57 percent of local residents support legalizing, taxing, and regulating recreational use of marijuana, a 20 percent increase from a similar poll conducted in 2005. One can safely conclude that if these numbers are true, a similar, if not greater, percentage of the local population would support the far less radical step of making marijuana possession of one ounce or less a civil violation, which this measure achieves.

Granted, marijuana remains illegal under federal law, where it is classified as a Schedule I substance, along with other psychoactive drugs, like heroin and LSD. Nonetheless, voters in Colorado and Washington approved ballot measures approving recreational marijuana, last year, in part because drug enforcement efforts disproportionately target minorities, leading to elevated incarceration rates for nonviolent crimes. Consider some brief facts about cannabis consumption. To begin, marijuana has a lower organic toxicity and addictive risk than alcohol, along with fewer correlating incidents of influence-related accidents and violence. More than half of all traffic fatalities in Hawaii involve alcohol, yet no one seriously discusses the possibility of prohibition because of path dependence. In other words, alcohol is ingrained in our culture in a way that marijuana consumption is not, despite the former being more dangerous, statistically speaking, than the latter. Similarly, marijuana abuse and dependence afflicts approximately 1.7

percent of the U.S. population, while alcohol abuse afflicts roughly 7.5 percent—over four times as many individuals. Marijuana is also not conclusively linked to an increase in violent behavior in and of itself. Rather, the main report used by the Honolulu Police Department to bolster this assertion, compiled by the Office of National Drug Control Policy, relies on source material that a) did not account for drug-trafficking and dispositional or psychological disorders; and b) failed to account for levels of deviancy (increased usage beyond average consumption rates)—a more stark statistical correlation exists between increased alcohol consumption and violent crime, including child and spousal abuse, yet, again, no one is introducing, much less considering the merits of, limiting the personal consumption of alcohol. Finally, only 30 percent of frequent (every other day or more) cannabis users report symptoms suggesting dependence, in contrast to nearly 70 percent for nicotine and 88 percent for harder drugs, like cocaine, leading one to conclude that marijuana usage parallels alcohol more than harder illicit substances and calling into question legal opinions asserting that marijuana and hard drugs can be readily correlated to one another. If we do not criminalize overconsumption of the more dangerous drug of alcohol, why do we unduly criminalize cannabis consumption, particularly in small amounts?

To be clear, we would prefer to see lawmakers completely decriminalize, if not legalize and tax, marijuana possession of an ounce or less. An economic study that accompanied the aforementioned Drug Policy Action Group poll estimated that the state would save \$12 million (mostly in law enforcement costs) by decriminalizing cannabis usage, while taxing and regulating sales of the substance would bring in at least \$11 million (as much as \$15-20 million, by other analyses), amounting to a potential \$23 million swing in state funds at a time when revenue is needed to cover such items as unfunded liabilities, rising energy costs, infrastructure improvement, technology investments, and new education initiatives. We acknowledge that the votes for decriminalization or legalization may not exist at the moment, though, and see this bill as progress toward taking a healthier legal stance toward marijuana usage, one based on empirical and scientific research, as well as progressive sentencing philosophy.

Put simply, it is high time that Hawaii stopped participating in counterproductive crackdowns on nonviolent, virtually victimless crimes and, instead, devoted its law enforcement resources to more worthy causes, including high rates of property theft and the fight to end human trafficking. Mahalo for the opportunity to testify in strong support of this bill.

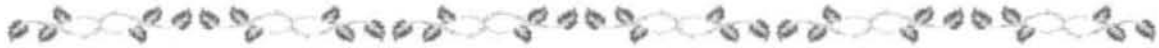
Sincerely,  
Kris Coffield  
*Legislative Director*  
IMUAlliance



# COMMUNITY ALLIANCE ON PRISONS

76 North King Street, Honolulu, HI 96817

Phones/E-Mail: (808) 533-3454, (808) 927-1214 / [kat.caphi@gmail.com](mailto:kat.caphi@gmail.com)



## COMMITTEE ON JUDICIARY AND LABOR

Sen. Clayton Hee, Chair

Sen. Maile Shimabukuro, Vice Chair

Tuesday, February 26, 2013

10:00 a.m.

Room 016

## SUPPORT FOR SB 472 - DECRIMINALIZATION OF MARIJUANA

Aloha Chair Hee, Vice Chair Shimabukuro and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered on behalf of the 5,800 Hawai'i individuals living behind bars, always mindful that approximately 1,500 individuals are serving their sentences abroad, thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

I am also the Vice President of Drug Policy Forum of Hawai'i, a twenty year old organization dedicated to safe, responsible, and effective drug policies.

Community Alliance on Prisons supports this measure. Our correctional facilities are bursting with low-level drug offenders.

A recent economic report<sup>1</sup> by an economist stated:

Decriminalization is an approach that treats marijuana possession in small amounts as a civil infraction (incurring a fine like a parking violation), rather than as a crime resulting in possible incarceration.

- Recent years have seen a surge in marijuana arrests. Since 2004, possession arrests have increased almost 50%
- Marijuana arrests are 50% more likely for males, 70% more likely for juveniles, twice as likely for those under 25, and 70% more likely for Native Hawaiians than their shares of the population would predict
- Decriminalization could save the state and county governments \$9 million annually
- Legalization (regulation, control, and taxation) could save an additional \$3 m, and realize \$11.3 m in annual tax revenue

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<sup>1</sup> Marijuana Decriminalization and Legalization in Hawai'i, Executive Summary, David C. Nixon, January 2013.  
[http://www.dpfhi.org/A\\_PDF/Budget\\_Imp\\_Marijuana\\_ES\\_2013.pdf](http://www.dpfhi.org/A_PDF/Budget_Imp_Marijuana_ES_2013.pdf)

Decriminalization or legalization of marijuana has the potential to reduce or eliminate the social and economic costs of law enforcement, and could provide a unique new revenue stream for government. Economic analysis of current public policies on marijuana reveals that Hawai'i state and county governments could save up to \$12 million annually on enforcement costs and could attain tax revenues of at least \$11 million annually under the different scenarios of decriminalization or legalization.

Drawing from publicly available arrest and budget data, it is possible to estimate the average cost of marijuana possession and distribution arrests and prosecutions in Hawai'i. In 2005, marijuana possession enforcement was estimated to cost Hawai'i taxpayers \$5 million annually. Enforcement of laws against growing or selling marijuana were estimated in 2005 to cost \$3 million annually.

But recent increases in arrests and increased costs for police departments and the judiciary have led to large increases in enforcement costs for misdemeanor marijuana possession and for criminal marijuana distribution - to a combined total over \$12 million annually.

### **Public Opinion is Changing**

#### *Marijuana/Cannabis Decriminalization*

A recent poll asked residents for their thoughts on the topic of decriminalization making possession and personal use of marijuana a violation instead, similar to a parking ticket.

|                                     | <b>2005</b> | <b>2012</b> |
|-------------------------------------|-------------|-------------|
| Yes, make marijuana use a violation | 42%         | 58%         |
| No, leave marijuana use a crime     | 55%         | 36%         |
| Don't know                          | 3%          | 6%          |

The findings indicate a growing sentiment among voters towards decriminalization making marijuana possession for personal use a violation instead of a crime. A little more than half (58%) the voters polled would not have an issue if this change were made. This represents an increase of 16-percentage points from seven years ago.

#### *War on Drugs*

Research respondents were informed that the current war on drugs costs the state \$105 million dollars each year. Knowing this fact, they were then asked if they felt the financial and manpower allocations were too high for the results we get.

|                                          | <b>2012</b> |
|------------------------------------------|-------------|
| Yes, financial expenditures are too high | 65%         |
| No worth it                              | 28%         |
| Don't know                               | 7%          |

It is clear that the public would rather have law enforcement and correctional resources spent protecting the community from violent crime. The war on drugs is a complete and utter failure, has wasted valuable resources, and has done little to protect the community. It has, however, done plenty to enhance criminal activity. It is time to end this 40 year failed experiment and use our resources wisely.

Mahalo for this opportunity to testify.



Committee: Committee on Judiciary and Labor  
Hearing Date/Time: Tuesday, February 26, 2013, 10:00 a.m.  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawaii in Support of S.B. 472, Relating to Marijuana

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of S.B. 472, which seeks to establish a civil violation for possession of one ounce or less of marijuana that is subject to a fine of not more than \$100.

S.B. 472 provides a safe and smart alternative to marijuana criminalization. Our state’s unfair and ineffective marijuana laws have damaged civil liberties in many ways – eroding protections against searches and seizures, putting large numbers of non-violent individuals behind bars and targeting people of color. Eliminating criminal penalties for low-level marijuana possession will prevent thousands of people from becoming entangled needlessly in the criminal justice system, eliminate many collateral consequences that flow from marijuana arrests (often more dangerous than the use of marijuana itself) and allow Hawaii to reinvest the money it saves for important community needs.

S.B. 472 takes a step towards ending Hawaii’s participation in the nation’s failed War on Drugs, which has cost taxpayers \$1 trillion but has produced little to no effect on the supply of or demand for drugs. The War on Drugs has sent millions of people to prison for low-level offenses and seriously eroded our civil liberties and civil rights while costing taxpayers billions of dollars a year, with nothing to show for it except our status as the world’s largest jailer. There are 2.3 million people behind bars in this country — triple the amount of prisoners we had in 1987 and more than all of Europe combined — and 25 percent of those incarcerated are locked up for drug offenses. It’s time to end the unjust and unsuccessful war on drugs and implement a more responsible drug policy in Hawaii by passing S.B. 472.

**S.B. 472 will allow Hawaii to shift its resources towards more serious threats to public safety and direct savings and revenue towards health care, drug prevention and public health education and other community concerns.**

Decriminalizing possession of small amounts of marijuana will (1) redirect law enforcement resources to more serious threats to public safety; (2) direct savings and revenue towards health

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
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[www.acluhawaii.org](http://www.acluhawaii.org)

care, drug prevention and public health education and other community concerns: (3) reduce the number of unreasonable arrests for marijuana possession and (4) reduce the targeting of communities disproportionately impacted by Hawaii's current marijuana laws.

David Nixon, an independent University of Hawaii economist, was commissioned to update a 2005 study on the state of marijuana law enforcement in Hawaii. Nixon was asked to examine the costs of current law enforcement policies, and to predict the economic impacts if Hawaii were to decriminalize or legalize, tax and regulate marijuana. According to Nixon, by decriminalizing marijuana, Hawaii could redirect over \$9 million annually in law enforcement costs.<sup>1</sup>

**The decriminalization of small amounts of marijuana will reduce the number of unreasonable arrests for marijuana possession in our already bloated criminal justice system.**

Since 2004, Hawaii has seen a surge in marijuana arrests. Possession arrests have increased almost 50 percent, and distribution arrests have almost doubled. Arrests for possession of small amounts of marijuana constitute one of the most common points of entry into the criminal justice system. Removing criminal penalties for marijuana possession will keep people out of jail for probation and parole violations, and will eliminate the many collateral consequences that flow from marijuana arrests (often more dangerous than the use of marijuana itself), thereby reducing the gross number of people entering or otherwise harmed by the criminal justice system.

**Decriminalization will reduce the targeting of communities disproportionately impacted by Hawaii's current laws.**

Hawaii's marijuana laws overly impact males under the age of 25 years of age and people of native Hawaiian descent. These groups were arrested in numbers disproportionate to their share of the population.<sup>2</sup>

Voters in Colorado and Washington made history when they took a stand for a safe and smart alternative to marijuana prohibition and chose to legalize small quantities of marijuana for persons over 21 years of age or older. Similar proposals have been or are expected to be introduced this year by lawmakers in Maine, Massachusetts, New Hampshire, Rhode Island, and

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<sup>1</sup> David Nixon, *Budgetary Implications of Marijuana Decriminalization and Legalization for Hawaii*, January 2013 available at [http://acluhawaii.files.wordpress.com/2013/01/econreptomarijuana1\\_2013.pdf](http://acluhawaii.files.wordpress.com/2013/01/econreptomarijuana1_2013.pdf).

<sup>2</sup> *Id.*

Chair Hee and JDL Committee Members  
February 26, 2013  
Page 3 of 3

Vermont. We hope that you will follow these states' leads and implement sensible marijuana law reform in Hawaii.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney and Legislative Program Director  
ACLU of Hawaii

*The ACLU has been the nation's guardian of liberty since 1925 and the ACLU of Hawaii since 1965. The ACLU works daily in the courts, legislatures and communities to defend and preserve the individual rights and liberties equally guaranteed to all by the Constitutions and laws of the United States and Hawaii. The ACLU works to ensure that the government does not violate our constitutional rights, including, but not limited to, freedom of speech, association and assembly, freedom of the press, freedom of religion, fair and equal treatment, and privacy. The ACLU network of volunteers and staff works throughout the islands to defend these rights, often advocating on behalf of minority groups that are the target of government discrimination. If the rights of society's most vulnerable members are denied, everyone's rights are imperiled.*

American Civil Liberties Union of Hawai'i  
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Honolulu, Hawai'i 96801  
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[www.acluhawaii.org](http://www.acluhawaii.org)

To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: Peter Whiticar  
RE: SB 472 - Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

I am testifying in support of SB 472 to decriminalize marijuana. As a parent of two teenage children I have given this issue much thought. My greatest fear is not the drugs or their impact on my kids but the impact of being arrested and of the War on Drugs on my kids and all kids. For better or worse we do not and never will live in an abstinate society. We do want to live in a free society where individuals can make their own choices as long as their behavior does not seriously hurt or negatively impact others. We know well that marijuana does not hurt others. We do know that being arrested and possibly incarcerated most definitely has immediate and long lasting negative impact. This is wrong. Let's send a message of truth about the possible negative effects of marijuana use to kids. Let's not demonize and arrest. Please decriminalize marijuana.

Thank you for the opportunity to testify.

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:10 AM  
**To:** JDLTestimony  
**Cc:** rlsncak@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b>              | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|----------------------------------|---------------------------|---------------------------|
| Matthew Ogata       | Chemical Scanning<br>Inspections | Comments Only             | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

## hee2 - Kathleen

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**From:** Austin Scholl [aschollmgmt@gmail.com]  
**Sent:** Monday, February 25, 2013 9:49 AM  
**To:** JDLTestimony  
**Subject:** SB 472 – Relating to Marijuana

To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: (Your Name)  
RE: SB 472 – Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

Hello, I am emailing regarding the decriminalization of Marijuana in Hawaii. Please carefully review the facts below regarding Marijuana use and Hawaii.

### **Decriminalization allows police to spend money on serious and violent crimes:**

- Decriminalizing possession of less than an ounce of marijuana could save state and county governments in Hawai'i an estimated \$9 million annually.(1)
- Nationally, approximately \$8 billion is spent every year arresting and prosecuting individuals for marijuana violations.<sup>2</sup> Almost 90% of these arrests are for marijuana possession only.(3)
- Since 2004, possession arrests in Hawai'i have increased almost 50% and distribution arrests almost doubled.(1)
- Decriminalization does not allow anyone to sell marijuana, nor does it allow anyone to purchase or possess marijuana.
- Marijuana is not a "gateway drug". The National Academy of Sciences found, "There is no conclusive evidence that the drug effects of marijuana are causally linked to the subsequent abuse of other illicit drugs."(8)
- Compared to possession of marijuana – ice and violent crimes are much bigger problems. Our police should spend more time and resources going after violent crime or hard drugs.

### **Far more harm results from the criminalization of marijuana than from marijuana use itself:**

- In Hawai'i:
  - Juveniles are 70% more likely to be arrested than adults.(1)
  - Native Hawaiians are 70% more likely to be arrested than non-native Hawaiians.(1)
- Convicted marijuana offenders:
  - Are denied federal student aid;
  - Lose their professional licenses;
  - Encounter barriers to employment, housing, and adoption.
- These penalties disproportionately affect young, low income, and minority individuals.(2)

### **Decriminalization does not increase marijuana use:**

- There is no evidence to support claims that criminalization reduces use or decriminalization increases use.(4)
- Studies find that decriminalizing marijuana has had no effect on marijuana use among young people.(5)
- Harsh marijuana laws do not deter use. (6)



## **Hawai'i supports decriminalization:**

- 58% of residents believe that marijuana possession for personal use should carry a fine instead of jail time.(7)
- 75% of the registered voters said if their state legislator voted to decriminalize marijuana it would either have no impact on their vote or it would actually make them more likely to vote for that legislator
- 14 states have already decriminalized marijuana: Alaska, California, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, Ohio, Oregon, Pennsylvania, and Rhode Island, plus in cities and counties in nine other states. Cultivation and distribution remain criminal offenses. In November 2012, Colorado and Washington went a step further and passed voter initiatives to tax and regulate marijuana for recreational use.

## **Studies cited:**

1. Nixon, David. Update to: Budgetary Implications of Marijuana Decriminalization and Legalization in Hawai'i. University of Hawai'i, Dec 2012. <[www.dpfhi.org](http://www.dpfhi.org)>
2. Duncan, Cynthia. "The Need for Change: An Economic Analysis of Marijuana Policy." Connecticut Law Review 14 (July 2009)
3. United States. Federal Bureau of Investigation's combined Uniform Reports. Crime in the United States: Table: Arrest for Drug Abuse Violations. U.S. Department of Justice: Washington, DC. 2010.
4. Reinerman, Cohen, and Kaal. "The Limited Relevance of Drug Policy: Cannabis in Amsterdam and San Francisco." American Journal of Public Health 94.5 (May 2004)
5. Williams, Jenny. "The Effects of Price and Policy on Marijuana Use: What Can Be Learned from the Australian Experience?" Health Economics 13 (2004): 123-137.
6. Connecticut. Connecticut Law Review Commission. Drug Policy in Connecticut and Strategy Options: Report to the Judiciary Committee of the Connecticut Assembly. State Capitol: Hartford, 1997.
7. QMark Research & Polling. November 19 –December 4, 2012. Survey of 603 adults statewide, MOE +/- 4%
8. National Academy of Sciences, Institute of Medicine. "Marijuana and Medicine: Assessing the Science Base". National Academy Press: Washington, DC, 5, 6. 1999.

Best Regards,

Austin

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-

Austin Scholl

c: 317-373-6808

e: [aschollmgmt@gmail.com](mailto:aschollmgmt@gmail.com)

## hee2 - Kathleen

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**From:** Bill or Bobbie Best [bestb002@hawaii.rr.com]  
**Sent:** Monday, February 25, 2013 10:59 AM  
**To:** JDLTestimony  
**Subject:** to Senator Clayton Hee, Chair and Senator Maile S.L. Shimabukuro, Vice Char

from Mr. and Mrs. Bill Best  
280 Hauoli St.  
Wailuku

Re: SB 472 - Relating to Marijuana  
Hearing February 26, 2013 10:00 a.m. Room 016

Mahalo for considering our input.

We strongly support decriminalizing marijuana in our state for so many reasons, philosophical, legal, economic, personal.

Personally, we use as few pharmaceutical or recreational drugs as possible, including aspirin and alcohol. One of us has a medical marijuana license for pain. Like all drugs, the less used with less frequency, the better it works, but it is the only remedy that does work. Others are more succinct in their arguments, so please forbear with the cut and paste below:

### **Decriminalization allows police to spend money on serious and violent crimes:**

- Decriminalizing possession of less than an ounce of marijuana could save state and county governments in Hawai'i an estimated \$9 million annually.(1)
- Nationally, approximately \$8 billion is spent every year arresting and prosecuting individuals for marijuana violations.2 Almost 90% of these arrests are for marijuana possession only.(3)
- Since 2004, possession arrests in Hawai'i have increased almost 50% and distribution arrests almost doubled.(1)
- Decriminalization does not allow anyone to sell marijuana, nor does it allow anyone to purchase or possess marijuana.
- Marijuana is not a "gateway drug". The National Academy of Sciences found, "There is no conclusive evidence that the drug effects of marijuana are causally linked to the subsequent abuse of other illicit drugs."(8)
- Compared to possession of marijuana – ice and violent crimes are much bigger problems. Our police should spend more time and resources going after violent crime or hard drugs.

### **Far more harm results from the criminalization of marijuana than from marijuana use itself:**

- In Hawai'i:
- Juveniles are 70% more likely to be arrested than adults.(1)
- Native Hawaiians are 70% more likely to be arrested than non-native Hawaiians.(1)
- Convicted marijuana offenders:
- Are denied federal student aid;
- Lose their professional licenses;
- Encounter barriers to employment, housing, and adoption.
- These penalties disproportionately affect young, low income, and minority individuals.(2)

### **Decriminalization does not increase marijuana use:**

- There is no evidence to support claims that criminalization reduces use or decriminalization increases use.(4)
- Studies find that decriminalizing marijuana has had no effect on marijuana use among young people.(5)
- Harsh marijuana laws do not deter use. (6)

### **Hawai'i supports decriminalization:**

- 58% of residents believe that marijuana possession for personal use should carry a fine instead of jail time.(7)
- 75% of the registered voters said if their state legislator voted to decriminalize marijuana it would either have no impact on their vote or it would actually make them more likely to vote for that legislator

- 14 states have already decriminalized marijuana: Alaska, California, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, Ohio, Oregon, Pennsylvania, and Rhode Island, plus in cities and counties in nine other states. Cultivation and distribution remain criminal offenses. In November 2012, Colorado and Washington went a step further and passed voter initiatives to tax and regulate marijuana for recreational use.

### **Studies cited:**

1. Nixon, David. Update to: Budgetary Implications of Marijuana Decriminalization and Legalization in Hawai'i. University of Hawai'i, Dec 2012. <[www.dpfhi.org](http://www.dpfhi.org)>
2. Duncan, Cynthia. "The Need for Change: An Economic Analysis of Marijuana Policy." Connecticut Law Review 14 (July 2009)
3. United States. Federal Bureau of Investigation's combined Uniform Reports. Crime in the United States: Table: Arrest for Drug Abuse Violations. U.S. Department of Justice: Washington, DC. 2010.
4. Reinerman, Cohen, and Kaal. "The Limited Relevance of Drug Policy: Cannabis in Amsterdam and San Francisco." American Journal of Public Health 94.5 (May 2004)
5. Williams, Jenny. "The Effects of Price and Policy on Marijuana Use: What Can Be Learned from the Australian Experience?" Health Economics 13 (2004): 123-137.
6. Connecticut. Connecticut Law Review Commission. Drug Policy in Connecticut and Strategy Options: Report to the Judiciary Committee of the Connecticut Assembly. State Capitol: Hartford, 1997.
7. QMark Research & Polling. November 19 –December 4, 2012. Survey of 603 adults statewide, MOE +/-4%
8. National Academy of Sciences, Institute of Medicine. "Marijuana and Medicine: Assessing the Science Base". National Academy Press: Washington, DC, 5, 6. 1999.

hee2 - Kathleen

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From: cooperhawaii@aol.com  
Sent: Friday, February 22, 2013 6:53 PM  
To: JDLTestimony  
Subject: SB 472

•  
•  
• To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: (Your Name)  
RE: SB 472 - Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

• Fourteen states have already decriminalized marijuana: Alaska, California, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, Ohio, Oregon, Pennsylvania, and Rhode Island, plus in cities and counties in nine other states. Cultivation and distribution remain criminal offenses. In November 2012, Colorado and Washington went a step further and passed voter initiatives to tax and regulate marijuana for recreational use.

Hawaii can follow these leaders, saving millions, redirecting to education, health issues, public transportation, to name a few.

A certain winner for all people in Hawaii....Let's move from the past failed policy...

Respectfully  
Gayland Baker  
Kamuela, Hawaii 96743 808 887-2108

## hee2 - Kathleen

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**From:** Kelly Lance [klance@hawaii.edu]  
**Sent:** Monday, February 25, 2013 9:37 AM  
**To:** JDLTestimony  
**Subject:** Decriminalization of Cannabis

To whom it may concern,

I've just learned that tomorrow the Hawai'i state legislature will hear SB 472, a measure that would decriminalize cannabis here in the islands. I would like to articulate my full support of this bill.

I am a responsible adult member of society, as well as a born and raised Native Hawaiian. I attend a university, which also employs me. I pay taxes. I actively volunteer with groups who work toward preserving Native Hawaiian culture. I choose to use cannabis responsibly. Why is it that I risk punishment for this?

Personal use of cannabis does not harm society as a whole, nor the individuals who make up that society. No one's safety or property is put at risk when I use cannabis. Yet this has been the cause of internment for a disproportional amount of young people, poor people, people of color, and Native Hawaiians for decades.

Cannabis is a plant, a natural medicine. No one has ever died from use of this medicine. Cannabis users here in the islands should not have to hide from the law or face losing educational, economic, and social opportunities. Please take the first step to right this social iniquity. Please vote yes on SB 472.

Mahalo nui,  
Kelly Lance

## hee2 - Kathleen

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**From:** Lee Eisenstein [lionel@cruzio.com]  
**Sent:** Saturday, February 23, 2013 7:20 PM  
**To:** JDLTestimony  
**Subject:** RE: SB 472 - Relating to Marijuana, Strong Support

To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: (Your Name)  
RE: SB 472 - Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

Aloha,

Compounds in marijuana are treating and in many cases, curing people of a large variety of diseases, infections and conditions, including drug resistant staph, MERSA and cancers. Clinical research and documented patient experiences have documented this and much more. Profound, patient experiences and cures are now being documented daily.

Creams made from marijuana are causing severe burns to heal in record time, as patient case documentation now shows. Potent, marijuana oils are curing skin cancers, quickly, as patient experience has now documented.

These compounds have been shown to significantly extend lifespan, in clinical tests. Consuming large amounts of raw or fresh frozen and therefore, non-psychoactive marijuana, is strongly effective against MERSA, as shown in clinical studies and patient experiences.

It is non-toxic, not physically addictive and causes FAR FEWER SOCIAL PROBLEMS THEN ALCOHOL. Raw, marijuana has powerful anti-inflammatory abilities and inflammation is a cause of common, serious diseases and conditions and it's consumption does not produce a, "high".

That's right. No high and massive curative and preventative powers. Clinical studies show life extension, with safe, non toxic, non-psychoactive, cannabinoid supplementation.

For people to use it in this manner to protect their health, possibly extend their lifespan, as clinical research has strongly indicated, boost their health and lower their health care costs, they MUST have the FREEDOM, to produce much greater number of plants than the paltry and grotesquely inadequate, seven, the currently "politically acceptable" limit on plants.

With all due respect, what does it take, for you people to stop pretending that it's use is some kind of crime?

When will lawmakers wake up and act like adults, instead of frightened children. Marijuana should NOT be considered a crime. In view of what we know know about cannabis and the cannabinoids, treating this plant as a crime is medieval.

Given the current state of knowledge, based on social research, clinical studies and documented, remarkable, patient experiences, treating it as a "crime" is in itself, a crime.

Decriminalize at this time, but also draw up and pass legislation ending these corrupt, harmful laws!

Decriminalization allows police to spend money on serious and violent crimes:

Decriminalizing possession of less than an ounce of marijuana could save state and county governments in Hawai'i an estimated \$9 million annually.(1)

Nationally, approximately \$8 billion is spent every year arresting and prosecuting individuals for marijuana violations.<sup>2</sup> Almost 90% of these arrests are for marijuana possession only.(3)

Since 2004, possession arrests in Hawai'i have increased almost 50% and distribution arrests almost doubled.(1)

Decriminalization does not allow anyone to sell marijuana, nor does it allow anyone to purchase or possess marijuana.

Marijuana is not a "gateway drug". The National Academy of Sciences found, "There is no conclusive evidence that the drug effects of marijuana are causally linked to the subsequent abuse of other illicit drugs."(8)

Compared to possession of marijuana - ice and violent crimes are much bigger problems. Our police should spend more time and resources going after violent crime or hard drugs.

Far more harm results from the criminalization of marijuana than from marijuana use itself:

In Hawai'i:

Juveniles are 70% more likely to be arrested than adults.(1)

Native Hawaiians are 70% more likely to be arrested than non-native Hawaiians.(1)

Convicted marijuana offenders:

Are denied federal student aid;

Lose their professional licenses;

Encounter barriers to employment, housing, and adoption.

These penalties disproportionately affect young, low income, and minority individuals.(2)

Decriminalization does not increase marijuana use:

There is no evidence to support claims that criminalization reduces use or decriminalization increases use.(4)

Studies find that decriminalizing marijuana has had no effect on marijuana use among young people.(5)

Harsh marijuana laws do not deter use. (6)

Hawai'i supports decriminalization:

58% of residents believe that marijuana possession for personal use should carry a fine instead of jail time.(7)

75% of the registered voters said if their state legislator voted to decriminalize marijuana it would either have no impact on their vote or it would actually make them more likely to vote for that legislator

14 states have already decriminalized marijuana: Alaska, California, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, Ohio, Oregon, Pennsylvania, and Rhode Island, plus in cities and counties in nine other states. Cultivation and distribution remain criminal offenses. In November 2012, Colorado and

Washington went a step further and passed voter initiatives to tax and regulate marijuana for recreational use.

Studies cited:

1. Nixon, David. Update to: Budgetary Implications of Marijuana Decriminalization and Legalization in Hawai'i. University of Hawai'i, Dec 2012. <[www.dpfhi.org](http://www.dpfhi.org)>
2. Duncan, Cynthia. "The Need for Change: An Economic Analysis of Marijuana Policy." Connecticut Law Review 14 (July 2009)
3. United States. Federal Bureau of Investigation's combined Uniform Reports. Crime in the United States: Table: Arrest for Drug Abuse Violations. U.S. Department of Justice: Washington, DC. 2010.
4. Reinerman, Cohen, and Kaal. "The Limited Relevance of Drug Policy: Cannabis in Amsterdam and San Francisco." American Journal of Public Health 94.5 (May 2004)
5. Williams, Jenny. "The Effects of Price and Policy on Marijuana Use: What Can Be Learned from the Australian Experience?" Health Economics 13 (2004): 123-137.
6. Connecticut. Connecticut Law Review Commission. Drug Policy in Connecticut and Strategy Options: Report to the Judiciary Committee of the Connecticut Assembly. State Capitol: Hartford, 1997.
7. QMark Research & Polling. November 19 -December 4, 2012. Survey of 603 adults statewide, MOE +/-4%
8. National Academy of Sciences, Institute of Medicine. "Marijuana and Medicine: Assessing the Science Base". National Academy Press: Washington, DC, 5, 6. 1999.

Aloha,  
Lee

<<http://members.cruzio.com/~lionel/dreamerdemo.htm>>



## hee2 - Kathleen

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 11:12 AM  
**To:** JDL Testimony  
**Cc:** ahchong.j@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

### SB472

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Justyn Ah Chong | Individual   | Support            | No                 |

Comments: I'm writing to urge you to support legislation (Senate Bill 472) to amend state law so that the adult possession of minor, personal use amounts of marijuana is reclassified from a misdemeanor to a violation. Under present law, the possession of one ounce of cannabis or less is classified as a criminal misdemeanor punishable by up to 30 days in jail and a \$1000 fine. Amending state law to make these offenses a fine-only, non-criminal infraction will significantly reduce state prosecutorial costs and allow law enforcement resources to be refocused on other, more serious criminal offenses. This is a fiscally sensible proposal that will better enable police, prosecutors, and the courts to reallocate their existing resources toward activities that will better serve the public. To date, fourteen states impose similar, fine-only penalties for marijuana possession offenses. Passage of these measures in these states has not led to increased marijuana use or altered the public's perceptions regarding the potential harms of drug use. In fact, population surveys show that fewer people in these states, such as Nebraska and Mississippi, use marijuana compared to the national average. Maine, Connecticut, and Rhode Island have enacted similar laws. This is a common sense, fiscally responsible proposal that will cut costs without altering the public's attitudes or use of marijuana. I urge you to support SB 472.

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To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: Raymundo Elido  
RE: SB 472 – Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

Criminal convictions can stand in the way of getting a good job, accessing educational opportunities, or even getting housing. Individuals shouldn't have their dreams derailed for possessing a substance that is objectively safer than alcohol. This change in law could save Hawaii up to \$9 million per year, according to University of Hawaii economist David Nixon, allowing law enforcement to spend more time working on preventing and solving crimes of violence and crimes against property. Surely, this change would serve the people of Hawaii better than the status quo.

Thank you!

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 10:57 AM  
**To:** JDLTestimony  
**Cc:** alohaland@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM  
**Attachments:** 13.doc

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b>   | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|-----------------------|---------------------|---------------------------|---------------------------|
| James & Kathleen Love | Individual          | Support                   | No                        |

Comments:

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Recent history in States that have adopted similar legislation, shows the overall benefits, both social & economic, to all members of the citizenry (except maybe those who profit from the prison system).

Please support SB472 and become recognizable to your constituency as a Representative who has a grasp on the current needs of the communities they serve.  
Mahalo nui loa for all that you do, James & Kathleen Love

To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: Rev. Dennis Shields  
RE: SB 472 - Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support Aloha Chair Rhoads and Har

Aloha Chair Hee, Vice Chair Shimabukuro, The time to end the long suffering of our citizens is at hand.

Cannabis prohibition is fully 50% of the failed and unconstitutional war on SOME drugs.

Cannabis laws are first and foremost Jim Crow laws designed to subjugate Hispanics and Blacks with arrest rates for minorities even in Hawaii slanted to discriminate and control by subjecting Hawaiians and Filipinos to higher arrest rates than other racial types.

The 'M' word used to smear and slander cannabis is a piece of Mexican military slang implying it takes two women Mary and Jane to satisfy the supposed increased libido of a Mexican cannabis user thus this one word is exposed as a vile Jim Crow exercise being both racist and sexist [by objectifying women].

The unconstitutionality of cannabis prohibition is exposed when asking a simple question.

Where is the amendment to the US Constitution prohibiting cannabis as is required to satisfy the precedent set by the prohibition of alcohol??

With out such precedent having been followed citizens due process rights and our rights of equal protection guaranteed by the 14th amendment have been ignored and thereby destroyed.

The effects of the unwise war on SOME drugs have been devastating to the United States and the war on cannabis amounts to fully half of all drug arrest and contributes to the demise of American exceptionalism as follows :

America with about 5% of the worlds population

- holds 25% of the worlds prisoners
- Americans consume 80% of the worlds supply of Pharmaceutical pain medications
- including 99% of the worlds supply of Vicodin
- while possessing 50% of the worlds privately owned guns.

In other-words :

America has been transformed into the Land of the NOT so free the Home of the barely brave and the pharmacy of the vastly over-medicated who have a gun under every pillow

By passing this law decriminalizing cannabis, this legislature can restore freedom and legitimacy to a government which with regard to the phony and failed war on SOME drugs has slid too far down the slippery slope of tyranny over its own citizens

The negative effects of cannabis have been grossly exaggerated given many examples of super achievers who have used cannabis range from Moses [Ex 30:23 in Hebrew calls for about 7 pounds of cannabis as a principal spice in the recipe for the Holy Anointing Oil of Israel] ; to authors like Victor Hugo and Alexander Dumas ; to scientist like Carl Sagan ; to entertainers from Louis Armstrong to Count Basie and Lennon and McCartney ; to Presidents not only those current and recent but our founding father George Washington wrote regarding his cannabis crops on Mt Vernon "Make the most of the India Hemp seed --sow it EVERYWHERE" [Cannabis Indica is the subspecies of cannabis with the highest percentage of THC -- thus Washington was interested in the medicinal/psychotropic effects as evidenced by both separating out male plants to increase potency and preferring the 'India' hemp over common hemp used primarily for cordage ]

Jesus gave the test of the good and evil tree saying that the evil tree can not produce good fruit

It turns out that the fruit of cannabis its seed is the world's most perfect food for human nutrition having a 'perfect' balance of all three of the essential fatty acids

[omega's] and the ONLY singular food source known to have all these fatty acids

Cannabis in spite of all the lies and exaggerations of its supposed harm is the epitome of a "good tree"

As a Minister of a Church which uses cannabis as a sacrament I repeat to you Moses' plea to Pharaoh "LET MY PEOPLE GO"

Mahalo for this hearing on this long overdue change in these failed laws

Aloha

Rev. Dennis Shields

the Religion of Jesus Church

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 8:27 PM  
**To:** JDLTestimony  
**Cc:** saralegal@live.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Sara Steiner        | Individual          | Support                   | No                        |

Comments: CORRECTION TO MY EARLIER TESTIMONY. CORRECTION IS CAPITALIZED AS I CAN NOT UNDERLINE ON THIS TESTIMONY APPLICATION! I am writing in regards to SB472 which deals with decriminalization of possession of less than an ounce of cannabis marijuana. I submitted testimony yesterday, but I realized I made a mistake and would like to clarify my point: There is a glaring "mistake" in this bill, if you look at Section 8, (HRS § 712-1247(1)(e) dealing with a first degree crime, they are reducing the amount of cannabis possession from "A POUND OR MORE" to "MORE THAN AN OUNCE". Which means if they pass this bill as written it will be making it a first degree offense out of something that was already a second degree offense - possession of one ounce to one pound. I am hoping that this is really a mistake, and not intentional. Please correct this immediately! Sincerely, Sara Steiner

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I stand in support of Bill HB699 for many reasons. The simple fact that an outdated law passed on propaganda continues to imprison peaceful citizens for enjoying a natural plant while processed drugs with under-studied side effects flood our society confounds me. Have we as a society not outgrown the lies from our past? Should laws built around misinformation be allowed to shape the lives of its people while wasting millions of tax payer's money? Is our fear keeping us from the impressive potential of industrial hemp which will not only boost our still weak economy but also heal our fields? Those are the questions I asked myself today and I want to say Yes, we have grown and seen through the deceit! I want to say No, laws built to profit not the people should not be allowed! I want to say NO; our fear will not blind us from the right answer. But I can't, not yet at least. Don't worry for I am hopeful and trust in the wisdom of those accountable to the people.

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 7:02 PM  
**To:** JDLTestimony  
**Cc:** bly1990@hotmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM  
**Attachments:** I stand in support of Bill HB699 for many reasons..docx

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Bach Ly             | Individual          | Support                   | No                        |

Comments:

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 4:27 PM  
**To:** JDLTestimony  
**Cc:** wainihapolly@gmail.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Paulette Phillips   | Individual          | Support                   | No                        |

Comments:

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Dr. Myron Berney

Support with language changes

SB 472 Testimony RELATING TO MARIJUANA.  
Establishes a civil violation for possession of one ounce or less of marijuana that is subject to a fine of not more than \$100.

DATE: Tuesday, 26th February 2013  
TIME: 10:00 a.m.  
PLACE: Conference Room 016

#### COMMITTEE ON JUDICIARY AND LABOR

Senator Clayton Hee, Chair

Senator Maile S.L. Shimabukuro, Vice Chair

Honorable Senators:

Last year alone the State lost over \$69.25 million dollars in retail GET to underground retail sales of Pakalolo.

22% of Hawaii Residents are over 18, There are 1,392,313 residents in Hawaii =  
306,308 adults over 18 in Hawaii. If they are using one oz a month of Pakalolo at \$400/oz =  
\$122,523,544 a month spent on Marijuana x 4.71% Sales Tax =  
\$5,770,858 GET Tax NOT Collected per month=  
**\$69,250,307 GET Retail Tax not collected from Black Market sales of Pakalolo Annually.**

I Support the Legalization of Marijuana since Marijuana is a safe and effective medicine. Under Hawaii State Law, HRS 329 Controlled Substance Act, Marijuana, for certain diagnostic conditions, is necessary, medically appropriate and reasonably safe meeting the three criteria established by the Hawaii State Supreme Court.

The Medical Use of Marijuana is also Protected under the Compassionate Clause promulgated in 1909 and reaffirmed by the current Attorney General. This Protection is without limitation. Since the "apparently ignorant herb man" in 1909 referred to the Native Hawaiian Kahuna this brings certain Religious and Native Hawaiian Rights to bear on this medical issue.

#### Universal Sacrament

Please also note that Marijuana is KOSHER in the Jewish Bible. The Rabbi says some people should be encouraged to use Marijuana and some people should be discouraged. Very simple. The Bible says, "take good care of yourself".

In Hinduism and in Buddhism, Marijuana is an offering substance, a sacrament. Buddha gave vows to prohibit the use of Alcohol; Buddha never gave any vows prohibiting Marijuana. Marijuana is called "Soma" in Tibet referring to the mystical herb from which the Vedas emerged.

Not Schedule I any more; never was a dangerous drug

Although under Federal Law, Marijuana is listed as a Schedule I drug, the Obama Administration has been issuing executive orders that undermine Marijuana as a Dangerous Drug. The Federal criteria for Schedule I Controlled Substances requires:

- A. The drug has a high potential for abuse.
- B. The drug has no currently accepted medical use in treatment in the United States.
- C. There is a lack of accepted safety for use of the drug under medical supervision.

On January 31, 2011 the Department of Veterans Affairs issued VHA DIRECTIVE 2011-004 which established policy for patients in the Federal VA system to participate legally in State Medical Marijuana Programs. Wounded Warriors often suffer from chronic debilitating medical conditions that are better treated with Cannabis including pain and PTSD without the detrimental side effects of opiates and prescription psychiatric medicines that carry black box warning of suicide and mass murder. Having recognized the medical use of Marijuana in this directive, Marijuana, officially by Executive Order, having the power of Law, does not fit the definition required to be a Schedule I Drug on the Federal Level.

Following the Legalization of Recreational Use of Marijuana in the States of Colorado and Washington, Obama issued an additional Executive order to curtail and prevent Federal Enforcement of the Marijuana Laws for the Recreational Use of Marijuana.

The Recreational Use or the Occasional Use of Marijuana has the same therapeutic benefits as medical Marijuana reducing Stress and Anxiety, reducing violent behavior, protecting nerve cells, improving Brain Function and balancing the various organ systems.

The more Occasional the use of Marijuana the less untoward effects on the respiratory system. Although smoke inhalation is detrimental for everyone, **smoking marijuana prevents lung cancer in tobacco smokers adding an Tremendous Benefit for tobacco addicts.** Modern drug delivery systems available in Canada, simply spraying the medicine into one's mouth, eliminates the untoward effects of smoking. If it were not for Bad Drug Law and Policy, Americans could benefit from modern delivery systems and eliminate the need for smoking pot. Trans dermal application, the Patch, would also eliminate smoking pot.

**The one ounce decriminalization of Marijuana would provide some limited protection for the recreational use of Marijuana but would be inadequate for the Medical Use under the current law.**

**Protecting the Right to Life and Access to Medical Care is one of the Primary Responsibilities of the State. Protecting 57% of the Voters from bad law is important but secondary to Protecting the Right to Life and Access to Medical Care which this bill fails to do.**

**Furthermore this bill would not provide for any legal distribution at all not even for seriously ill patients. Providing easy access to necessary, reasonable and appropriate medicines is required to Protect the Right to Life and Access to Medical Care.**

The War on Drugs was instituted by Nixon because he blamed Marijuana for the lack of support for the War in Vietnam. Nixon declared a Civil War by Government against now 57% of Hawaii Voters. **Nobody want a Civil War in Hawaii.** Local Law Enforcement goes way beyond the current

Federal Policy, State and Federal Constitutions.

Local Law Enforcement, HPD, is deliberately targeting seriously ill patients, kidnapping them, illegal incarceration, preventing access to emergency medical care, stealing their medicine and destroying private property. HPD even steals hardware in storage not being used at all. State paraphernalia laws target medical marijuana patients while the State supplies iv drug addicts with needles and syringes. Evidently the State and the Department of Health is not concerned with public safety concerning epidemic and pandemic viral diseases, colds, flu, herpes, Hepatitis A, strep, staph, TB and a host of other diseases transmitted by passing a pipe or joint.

**This bill is unfair to seriously ill patients and only protects recreational users.**

**In order to protect seriously ill patients, as required by Law, you would need to:**

**DELETE the language "one ounce of" limit in this bill so as to protect seriously ill patients.**

Also Delete "Marijuana" and "Cannabis" from all other sections of the Criminal Code.

Delete the trip about Court Ordered Drug Rehabilitation for Marijuana users since it is common to go in for marijuana and come out addicted to hard drugs.

Unfortunately the House even though there was sufficient support in the Judiciary committee to move the bill, leadership decided that the floor debate would not go well for either side. On one side you have 57% of voters supporting legalization of marijuana; while on the other side you have the stupidly stubborn proponents of the "Devil Weed" view of Marijuana.

On the other hand, the Finance Committee perked up when I pointed out that last year the State lost out of over \$69.25 million dollars in uncollected GET on the retail sales of only one ounce per month.

A pack of cigarettes weighs 1.1 oz.

The one ounce is a common standard in some States for this \$100 fine, but is basically an arbitrary amount. Why not a metric weight? It could just as easily be 100 grams or one kilogram. One ounce may be sufficient for recreational use but one ounce is insufficient for patients needing to grow their own medicine and produce an adequate and uninterrupted medical supply. Furthermore these seriously ill patients need easy access to pharmaceutical grade medicine.

Under this bill, the State continues to suffer both Black Market underground sales and a LOSS of Revenue well over \$69.25 million dollars a year while individuals are subject to persecution and prosecution by Law Enforcement.

CAN YOU CONTINUE TO AFFORD THIS ECONOMIC LOSS to maintain bad drug policy?

Without a legal distribution and sales program the State continues with bad drug policy that increases crime and robs the State funding of important Educational and Public Health and Welfare programs.

Page 3 Delete the Entrapment Clause

13 this [+]part[+], section 329- , or chapter 712; ~~provided that~~

~~14 the qualifying patient or the primary caregiver strictly~~

~~15 complied with the requirements of this part."~~

# Get rid of the one ounce trip so as to make provisions for the medical use and easy access to pharmaceutical grade Marijuana and modern drug delivery systems.

Dr. Myron Berney

Cannabis and Cancer  
Marijuana delivers more than nausea relief.  
Wellness can deliver a real Cure

Marijuana Really is a Wonderful Medicine with very promising results in Cancer. Medical Research reports a promising potential for future medicine while Real World Patients says it Cures without any toxic untoward effects.

Run from the Cure on YouTube.com documents Marijuana extract curing cancer in Canada You would do Hawaii Well, if you would please review this documentary.  
<http://www.youtube.com/watch?v=5rzUGuuXWr8>

Why Politicians, Cops and Prosecuting Attorneys think what they think is only because they don't know any better. "Garbage in, Garbage out." Would you really ask a cop or a politician what to do if your child was really sick. All they could say is Call 911. Their expertise is not in medicine or wellness. Their testimony may even be considered a Color of Law Crime.

## Current Medical Use

*Marihuana and cannabinoids as medicaments*, a 2012 summary, Marijuana is effective in:

1. temporary appeasement of the symptoms of nausea or vomiting,
2. ability to alleviate of autoimmunological disorders such as: Multiple sclerosis (MS), Rheumatoid arthritis (RA) or inflammatory bowel disease,
3. treatment of neurological disorders like Alzheimer disease or Amyotrophic lateral sclerosis (ALS),
4. can even reduce spreading of tumor cells.

Marijuana demonstrates

- a high safety profile
- low possibility of deadly overdosing and
- side-effects in range of other medications.

First cannabis-based drug containing naturally occurring cannabinoids is Sativex.

Sativex is delivered in an mucosal spray [no need smoking pot]

- for patients suffering from spasticity in MS,
- cancer pain and
- neuropathic pain of various origins.

Tkaczyk M, Florek E, Piekoszewski W. *Przegl Lek.* 2012;69(10):1095-7.

*The pharmacologic and clinical effects of medical cannabis*, a 2013 summary and review, lists Marijuana as being effective in the treatment of nausea and vomiting associated with cancer chemotherapy and of anorexia associated with weight loss in patients with acquired immune deficiency syndrome. However, pain and muscle spasms are the most common reasons that

medical cannabis is being recommended. Studies of medical cannabis show significant improvement in various types of pain and muscle spasticity. Reported adverse effects are typically not serious, with the most common being dizziness.

Borgelt LM, Franson KL, Nussbaum AM, Wang GS. *Pharmacotherapy*. 2013 Feb;33(2):195-209. doi: 10.1002/phar.1187

### **Additional Scientific Studies**

*The endocannabinoid system and cancer: therapeutic implication.*

Here we review the relationship between the endocannabinoid system and anti-tumour actions (inhibition of cell proliferation and migration, induction of apoptosis, reduction of tumour growth) of the cannabinoids in different types of cancer.

Identification of safe and effective treatments to manage and improve cancer therapy is critical to improve quality of life and reduce unnecessary suffering in cancer patients. In this regard, cannabis-like compounds offer therapeutic potential for the treatment of breast, prostate and bone cancer in patients.

Guindon J, Hohmann AG. *Br J Pharmacol*. 2011 Aug;163(7):1447-63. doi: 10.1111/j.1476-5381.2011.01327.x.

*Cannabinoids: a new hope for breast cancer therapy*

Experimental evidence accumulated during the last decade supports that cannabinoids, the active components of *Cannabis sativa* and their derivatives, possess anticancer activity.

These compounds exert:

1. anti-proliferative,
2. pro-apoptotic,
3. anti-migratory and
4. anti-invasive actions in a wide spectrum of cancer cells
5. tumor growth, angiogenesis and metastasis are hampered by cannabinoids

Cannabinoid-based medicines may be useful for the treatment of most breast tumor subtypes.

Caffarel MM, Andradas C, Pérez-Gómez E, Guzmán M, Sánchez C. *Cancer Treat Rev*. 2012 Nov;38(7):911-8. doi: 10.1016/j.ctrv.2012.06.005. Epub 2012 Jul 7.

*Cannabinoid-associated cell death mechanisms in tumor models (review).*

Cannabinoids (the active components of *Cannabis sativa*) and their derivatives can affect the viability and invasiveness of a variety of different cancer cells. Moreover, in addition to their inhibitory effects on tumor growth and migration, angiogenesis and metastasis, the ability of these compounds to induce different pathways of cell death has been highlighted. In particular, we analyze the pathways triggered by cannabinoids to induce apoptosis or autophagy in cancer cells but not normal cells.

**Cannabinoids in cancer cells can contribute to the development of safe and effective treatments in cancer therapy.**

Calvaruso G, Pellerito O, Notaro A, Giuliano M. *Int J Oncol*. 2012 Aug;41(2):407-13. doi: 10.3892/ijo.2012.1476. Epub 2012 May 14.

*Towards the use of non-psychoactive cannabinoids for prostate cancer.*

The palliative effects of *Cannabis sativa* (marijuana), and its putative main active ingredient,  $\Delta(9)$ -tetrahydrocannabinol (THC), which include appetite stimulation, attenuation of nausea and emesis associated with chemo- or radiotherapy, pain relief, mood elevation, and relief from insomnia in cancer patients, are well-known. In this issue of the *British Journal of Pharmacology*, De Petrocellis and colleagues present comprehensive evidence that plant-derived cannabinoids, especially cannabidiol, are potent inhibitors of prostate carcinoma viability in vitro. They also showed that the extract was active in vivo, either alone or when administered with drugs commonly used to treat prostate cancer.

Published 2012. This article is a U.S. Government work and is in the public domain in the USA.

Pacher P. *Br J Pharmacol*. 2013 Jan;168(1):76-8. doi: 10.1111/j.1476-5381.2012.02121.x.



*Cannabidiolic acid, a major cannabinoid in fiber-type cannabis, is an inhibitor of MDA-MB-231 breast cancer cell migration.*

Cannabidiol (CBD), a major non-psychoactive constituent of fiber-type cannabis plant, has been reported to possess diverse biological activities, including anti-proliferative effect on cancer cells.

- CBDA inhibits migration of the highly invasive MDA-MB-231 human breast cancer cells
- CBDA offers potential therapeutic modality in the abrogation of cancer cell migration, including aggressive breast cancers.

Takeda S, Okajima S, Miyoshi H, Yoshida K, Okamoto Y, Okada T, Amamoto T, Watanabe K, Omiecinski CJ, Aramaki H. Toxicol Lett. 2012 Nov 15;214(3):314-9. doi: 10.1016/j.toxlet.2012.08.029. Epub 2012 Sep 8.

### **The Medical use of Cannabis, Marijuana, in Pain Management has been very effective.**

In addition to Pain Management, Over 60 different Cannabis medicinal compounds have been found to have neuro-protective qualities including

1. anti inflammatory,
2. anti oxidation,
3. neuroprotection,
4. analgesia,
5. anti-inflammation,
6. immunomodulation,
7. modulation of glial cells, and
8. tumor growth regulation.

Neurology CEDD, GlaxoSmithKline, New Frontiers Science Park (North), Coldharbour Road, Harlow, Essex, CM19 5AW, UK.

Neuroprotective cannabinoids found in Marijuana are able to rescue dying neurones. Cannabinoids also provide symptomatic relief in chronic neurodegenerative diseases, such as multiple sclerosis and Huntington's disease. Canada has recently approved medical preparations of Cannabis for treatment of Multiple Sclerosis Pain syndromes.

In studies with Fibromyalgia patients experienced

1. reduction of pain and stiffness,
2. enhancement of relaxation, and
3. an increase in somnolence [better sleep] and
4. and an increase in their feeling of well being

PLoS One. 2011 Apr 21;6(4):e18440. doi: 10.1371/journal.pone.0018440.

Studies of patients with post-traumatic or postsurgical neuropathic pain, one puff three times a day for 5 day, patients experienced

1. decreased pain and
2. improved sleep being able to fall asleep easier, with less sleep interruptions.
3. an improve quality of life

CMAJ. 2010 Oct 5;182(14):E694-701. doi: 10.1503/cmaj.091414. Epub 2010 Aug 30.

Studies with Cluster Headaches that were refractory [couldn't be treated] with other analgesic pain management responded well to Cannabis being

1. able to prevent and
2. abort the attacks with Cannabis.

Headache. 2009 Jun;49(6):914-6. doi: 10.1111/j.1526-4610.2009.01344.x. Epub 2009 Feb 11.

HIV patients with HIV-associated distal sensory predominant polyneuropathy (DSPN) are usually treated with opioids. HIV Pain Patients who were refractory to at least two previous analgesic classes experienced at least a

1. 30% reduction with and
2. improvement in Mood and
3. daily functioning improved.
4. Side effects were mild and self-limited.

Neuropsychopharmacology. 2009 Feb;34(3):672-80. doi: 10.1038/npp.2008.120. Epub 2008 Aug 6.

Traditionally, Cannabis has been used with opioid pain relief drugs. Marijuana increase the effectiveness of the opioids while reducing the development of drug tolerance [meaning the patient doesn't need higher and higher doses to control their pain.]

Klinik für Anästhesiologie, Medizinische Hochschule Hannover. bernateck.michael@mh-hannover.de

Neuroprotective cannabinoids found in Marijuana are able to rescue dying neurones. Cannabinoids also provide symptomatic relief in chronic neurodegenerative diseases, such as multiple sclerosis and Huntington's disease. Canada has recently approved medical preparations of Cannabis for treatment of Multiple Sclerosis Pain syndromes.

A Phase IV Clinical Study is when the medicine is released to the Public. Phase III Clinical Studies involve a limited number of patients. Phase IV involves millions of patients. The self-medication using Marijuana for pain relief in the general population is similar to a Phase IV clinical study. Patients generally report pain relief for all kinds of pain and suffering.



**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 12:25 PM  
**To:** JDLTestimony  
**Cc:** Karen@RedwoodGames.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013  
Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Karen Chun          | Individual          | Support                   | No                        |

Comments: Although I believe it would be a good source of revenue to legalize and tax marijuana, treating it the same as alcohol as far as impaired driving, preventing underage use, etc. this measure will at least remove the criminalization of small amounts and is a good step in the right direction. I am saddened to see our 20 year olds being saddled with criminal records for doing something that appears to be less damaging than alcohol. We have people who are positive influences on our society, hard working, good people whose lives ruined by our archaic criminalization of marijuana and it is time to change this.

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 11:15 AM  
**To:** JDLTestimony  
**Cc:** mzerbe808@gmail.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Margaret Zerbe      | Individual          | Support                   | No                        |

Comments:

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To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

From: Matthew Rifkin

RE: SB 472 - Relating to Marijuana

Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016

Position: **Strong Support**

Prosecuting minor marijuana cases is an incredible waste of tax payer money, and it needlessly gives otherwise law abiding citizens a criminal record.

Here are six examples where certain marijuana crimes are no longer prosecuted, despite marijuana still being illegal at the Federal level:

- 1) New York City: The NYPD have been instructed to only issue a ticket for minor possession of marijuana if the contraband "was disclosed to public view at an officer's direction."
- 2) Philadelphia: In April 2010 the District Attorney announced a citywide policy change whereby law enforcement officials issue a summons rather than arrest and criminally prosecute minor marijuana offenders. This saves the city an estimated \$2 million per year.
- 3) Evanston (Illinois): The City Council approved a budget that included an ordinance decriminalizing possession of 10 grams or less of marijuana, penalizing offenders with a fine rather than jail time. It was done to free up the police, who are overextended and face budget constraints.
- 4) California: In October 2010 Governor Schwarzenegger signed SB 1449 into law. It makes possession of one ounce or less of marijuana a civil violation (similar to having tinted car windows that are too dark) punishable by a fine. It is no longer a petty misdemeanor, there is no arrest, court appearance or criminal record.
- 5) The Seattle City Attorney, Pete Holmes, does not prosecute any minor marijuana possession cases, in compliance with I-75, an initiative passed by voters. He threw out all cases meeting specific criteria, and eventually the police stopped making such arrests.
- 6) Massachusetts: Voters in 2008 passed the Sensible Marijuana Policy Initiative, also known as Ballot Question 2, which was an initiated state statute that replaced prior criminal penalties with new civil penalties on adults possessing an ounce or less of marijuana.

Two important quotes:

*"There is a high amount of paperwork and time that is spent going to court. It's not just the arrest but then the processing and follow-through that take a lot of time."*

– Alderman Melissa Wynne, The Daily Northwestern November 17, 2011

*"The state of Washington should not use the continued existence of the federal prohibition as an excuse for leaving our misguided and wasteful state prohibition system in place."*

–Pete Holmes, Seattle City Attorney, Seattle Times op-ed February 16, 2011

Turning to Hawaii specifically, in 2008 53% of Big Island voters passed Ballot Question 1, the Lowest Law Enforcement Priority of Cannabis Ordinance (LLEPCO). Although the law is not being enforced, the residents of Hawaii County are making clear their desire for the law enforcement community devote their limited resources to arrest and prosecute more serious crimes.

In Hawaii County from November 1, 2010 to October 31, 2011 we have the following data for marijuana arrests:

|                                                                      |            |
|----------------------------------------------------------------------|------------|
| Felony Class A (Commercial Promotion of Marijuana First Degree)      | 62         |
| Felony Class B (Commercial Promotion of Marijuana Second Degree)     | 54         |
| Felony Class C (Promoting a Detrimental Drug First Degree)           | 44         |
| Misdemeanor (Promoting a Detrimental Drug Second Degree)             | 51         |
| <b>Petty Misdemeanor (Promoting a Detrimental Drug Third Degree)</b> | <b>375</b> |
| Total arrests:                                                       | 586        |

Almost 65% of all marijuana charges in that period are for the lowest possible crime, a petty misdemeanor, which is what SB472 will turn into a civil violation and a fine.

A first time offender who is charged with "promotion of a detrimental drug in the 3<sup>rd</sup> degree" (possession on one ounce or less of marijuana) is given probation and fined (typically) \$100 plus \$280 in court fees (\$30 criminal injury penalty [even though no one was likely injured] and \$250 drug assessment fee). A repeat offender could be sentenced to 30 days in jail and fined up to \$1000. The question is: how much does it cost the County to collect that \$380 in fines and fees? How many hours does it take the police to arrest and process this person? How many total hours are spent by the various people at the courthouse (judge, bailiff, public defender, deputy prosecutor, Sheriff and court clerks) to resolve such a case? How much money does the Federal government give the County (through Byrne Grants and the like) for each such prosecution and guilty plea?

Chaos has not ensued in the locations noted above that changed their marijuana laws, and it won't change things in Hawaii either. It is time for the police and prosecutors to focus on more important things.

I lived in Hawaii for almost 10 years, and although not currently a resident, I feel it important to submit my testimony in strong support of this bill.

Thank you

Matthew Rifkin  
Buellton, CA

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 8:54 AM  
**To:** JDLTestimony  
**Cc:** dani\_lfrisco@hotmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b>    | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|------------------------|---------------------|---------------------------|---------------------------|
| Danielle Guion-Swenson | Individual          | Support                   | No                        |

Comments: It's that time in history when we move on to more pressing issues. Decriminalization of marijuana will allow better use of our resources and stop wasting time on making criminals out of marijuana users. Other states are doing this. It's time for Hawaii.

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## hee2 - Kathleen

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**Sent:** Saturday, February 23, 2013 9:48 PM  
**To:** JDLTestimony  
**Cc:** barbarapolk@hawaiiantel.net  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

### **SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Barbara B. Polk     | Individual          | Support                   | No                        |

Comments: While I believe that marijuana should be made legal and regulated as are alcohol and cigarettes, decriminalizing the possession of small amounts of marijuana would be a major step forward. The benefits would be: 1) we would stop ruining the lives of large numbers of people who are using a drug that in fact poses little or no danger to the user (President Obama smoked marijuana while in high school and probably later as well.) 2) we would save the state money by ending the monitoring of the probation of marijuana users and incarceration of the many who wind up in prison. 3) the fine for using small amounts would provide money for treatment programs. I urge you to pass this bill.

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## hee2 - Kathleen

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 9:21 PM  
**To:** JDLTestimony  
**Cc:** mpaiello@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

### SB472

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Michael Aiello | Individual   | Support            | No                 |

Comments: SB472 is a good idea. Decriminalization allows police to spend money on serious and violent crimes: Decriminalizing possession of less than an ounce of marijuana could save state and county governments in Hawai'i an estimated \$9 million annually.(1) Nationally, approximately \$8 billion is spent every year arresting and prosecuting individuals for marijuana violations.2 Almost 90% of these arrests are for marijuana possession only.(3) Since 2004, possession arrests in Hawai'i have increased almost 50% and distribution arrests almost doubled.(1) Decriminalization does not allow anyone to sell marijuana, nor does it allow anyone to purchase or possess marijuana. Marijuana is not a "gateway drug". The National Academy of Sciences found, "There is no conclusive evidence that the drug effects of marijuana are causally linked to the subsequent abuse of other illicit drugs."(8) Compared to possession of marijuana – ice and violent crimes are much bigger problems. Our police should spend more time and resources going after violent crime or hard drugs. Far more harm results from the criminalization of marijuana than from marijuana use itself: In Hawai'i: Juveniles are 70% more likely to be arrested than adults.(1) Native Hawaiians are 70% more likely to be arrested than non-native Hawaiians.(1) Convicted marijuana offenders: Are denied federal student aid; Lose their professional licenses; Encounter barriers to employment, housing, and adoption. These penalties disproportionately affect young, low income, and minority individuals.(2) Decriminalization does not increase marijuana use: There is no evidence to support claims that criminalization reduces use or decriminalization increases use.(4) Studies find that decriminalizing marijuana has had no effect on marijuana use among young people.(5) Harsh marijuana laws do not deter use. (6) Hawai'i supports decriminalization: 58% of residents believe that marijuana possession for personal use should carry a fine instead of jail time.(7) 75% of the registered voters said if their state legislator voted to decriminalize marijuana it would either have no impact on their vote or it would actually make them more likely to vote for that legislator. Fourteen states have already decriminalized marijuana: Alaska, California, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, Ohio, Oregon, Pennsylvania, and Rhode Island, plus in cities and counties in nine other states. Cultivation and distribution remain criminal offenses. In November 2012, Colorado and Washington went a step further and passed voter initiatives to tax and regulate marijuana for recreational use. Studies cited: 1. Nixon, David. Update to: Budgetary Implications of Marijuana Decriminalization and Legalization in Hawai'i. University of Hawai'i, Dec 2012. 2. Duncan, Cynthia. "The Need for Change: An Economic Analysis of Marijuana Policy." Connecticut Law Review 14 (July 2009) 3. United States. Federal Bureau of Investigation's combined Uniform Reports. Crime in the United States: Table: Arrest for Drug Abuse Violations. U.S. Department of Justice: Washington, DC. 2010. 4. Reinerman, Cohen, and Kaal. "The Limited Relevance of Drug Policy: Cannabis in Amsterdam and San Francisco." American Journal of Public Health 94.5 (May 2004) 5. Williams, Jenny. "The Effects of

Price and Policy on Marijuana Use: What Can Be Learned from the Australian Experience?" Health Economics 13 (2004): 123-137. 6. Connecticut. Connecticut Law Review Commission. Drug Policy in Connecticut and Strategy Options: Report to the Judiciary Committee of the Connecticut Assembly. State Capitol: Hartford, 1997. 7. QMark Research & Polling. November 19 –December 4, 2012. Survey of 603 adults statewide, MOE +/-4% 8. National Academy of Sciences, Institute of Medicine. "Marijuana and Medicine: Assessing the Science Base". National Academy Press: Washington, DC, 5, 6. 1999.

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 9:20 PM  
**To:** JDLTestimony  
**Cc:** petertierney@hawaiiantel.net  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| peter tierney       | Individual          | Support                   | No                        |

Comments:

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**hee2 - Kathleen**

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**Sent:** Saturday, February 23, 2013 8:57 PM  
**To:** JDLTestimony  
**Cc:** maui.hot@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeffrey Henderson   | Individual          | Support                   | No                        |

Comments: No harm done! Live and let live

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TESTIMONY ON SENATE BILL 472  
RELATING TO MARIJUANA

By  
Keith Kamita

Senate Committee on Judiciary and Labor  
Senator Clayton Hee, Chair  
Senator Maile S. L. Shimabukuro, Vice Chair

Tuesday, February 26, 2013, 10:00 a.m.  
State Capitol, Conference Room 016

Chair Hee, Vice Chair Shimabukuro, and Members of the Committee:

I am testifying in non support of Senate Bill 472 that proposes to make possession of less than one ounce of marijuana a civil fine and delete the criminal offence of possessing any amount of marijuana in section 712-1249. The use of illegal drugs should not be dealt with like a traffic violation where a suspect can just pay a fine unlimited times with it never becoming a criminal violation. Senate Bill 472 goes even further by allowing any person (teacher, student, visitor) to possess one ounce or less of marijuana in, on, or near schools, school vehicles, public parks, or public housing projects or complexes without it being a criminal violation. I feel that this Bill sends the wrong message to the citizens and youth of Hawaii, that smoking and possessing under one ounce of marijuana is not a big deal its not a criminal violation its "its just a fine."

Presently the existing language in section 706-622.5 gives the courts the latitude to sentence the first time drug offender to probation and even expungement of their criminal records if they do not re-offend.

Sections 1 and 4 of Senate Bill 472 are inappropriately placed in Chapter 329 Hawaii's Uniform Controlled Substance Act. Section 1 of Senate Bill 472 adds a new definition "Possession of Marijuana" that is not utilized by this chapter. Section 4 of

Senate Bill 472 amends Hawaii's Medical Use of Marijuana Program and is not necessary to protect patients and caregivers from prosecution for possession of marijuana authorized under there Medical Use of Marijuana Permit.

Senate Bill 472 as written would also make the penalties for possession of over one ounce of marijuana in sections 712-1247(1)(e) (Promoting a Detrimental Drug in the First Degree, Class C Felony), 712-1248(1)(c) (Promoting a Detrimental Drug in the Second Degree, Misdemeanor), and 712-1249(1) (Promoting a Detrimental Drug in the Third Degree, Petty Misdemeanor) all the same criminal violation ranging from Class C Felony to Petty Misdemeanor.

Thank you for the opportunity to testify on this matter.

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 6:56 PM  
**To:** JDLTestimony  
**Cc:** anislander@hawaii.rr.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Regina Hodges       | Individual          | Support                   | No                        |

Comments: I support legalization. Thank you for giving me the opportunity to voice my opinion.

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**hee2 - Kathleen**

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**Sent:** Saturday, February 23, 2013 6:54 PM  
**To:** JDLTestimony  
**Cc:** normstuard@aol.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Norm Stuard         | Individual          | Support                   | No                        |

Comments: I support the legalization of pot per the draft sb472. Thanks for taking my wishes into consideration.

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## hee2 - Kathleen

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 5:32 PM  
**To:** JDLTestimony  
**Cc:** bwanasteve100@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

### **SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| robert crosson      | Individual          | Support                   | No                        |

Comments: i am 67 yrs. old...can't use the stuff myself, but, we should stop filling our prisons and ruining lives with our present drugs laws. please vote for this bill. thank you, robert crosson

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 5:12 PM  
**To:** JDLTestimony  
**Cc:** enyawrellim@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013  
Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Wayne Miller        | Individual          | Support                   | No                        |

Comments: I favor decriminalization. thank you

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 5:12 PM  
**To:** JDLTestimony  
**Cc:** saralegal@live.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013  
Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Sara Steiner        | Individual          | Support                   | No                        |

Comments: Aloha Dear Legislators, Please pass this bill, it is imperative that we stop criminalizing cannabis use in this day and age of information regarding the important uses of cannabis, as well as the falsity of information and corporate funding which has been used to keep this beneficial plant illegal these last 80 years. THERE IS A GLARING PROBLEM WITH THE Section 8 (HRS §712-1247 (1)(e) is like you are actually making that part much strict, you are taking out "a pound or more" and putting in "less than an ounce" in it's place, which means you have changed the amount of weed to make a 1st degree violation from over a pound to over an ounce - this is not acceptable. Please change the error and pass this bill without delay! Sincerely, Sara Steiner P.O. Box 1965 Pahoehoa, Hawaii 96778 808-936-9546

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 1:18 PM  
**To:** JDLTestimony  
**Cc:** pakalolo50@aol.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b>     | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|-------------------------|---------------------|---------------------------|---------------------------|
| Anthony Julius Lannutti | Individual          | Support                   | Yes                       |

Comments: With voters speaking up in Coiorado and Washington, our current law is archaic and criminalizes approximately 100,000 hawaii citizens (based conservative DOH polls at a national level). There are 500 people willing to protest in support of some kind of reform (see the facebook event at this link: <http://www.facebook.com/events/253846548075225/> ). There are 15 states and some municipalities that have decriminalized marijuana, why is Hawaii staying so far to the right? I personally know many people who have been hugely negatively affected by criminalization including a WCC student who was caught with a small bag of weed and a pipe on campus and kicked out of school and given all F's on this last day. Criminalization 100,000 local people isn't something that should be taken lightly. Its an injustice. Please reform these laws that criminalize me and many others.

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 12:50 PM  
**To:** JDLTestimony  
**Cc:** Plattkathleen@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kathleen Platt      | Individual          | Support                   | No                        |

Comments: Aloha, Thank you for bringing this issue to the Senate. I am in support of decriminalization of marijuana. As a retired EMT, 43 year resident of Maui and mother of two grown sons, I know the difference between Hard Drugs and pot. Please free up our police, courtrooms and jails for violent criminals, white collar criminals, meth dealers, coke and heroin dealers, and others who need to be separated from society. Mahalo for your support.

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 22, 2013 6:36 PM  
**To:** JDL Testimony  
**Cc:** Lcaldwell12@live.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/22/2013  
Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Larry Caldwell      | Individual          | Support                   | No                        |

Comments: There's been too much said already please just do what's right

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## hee2 - Kathleen

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**From:** Matt Binder [mattbinder@earthlink.net]  
**Sent:** Saturday, February 23, 2013 12:43 PM  
**To:** JDLTestimony  
**Subject:** Support SB 472

To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: Matt Binder  
RE: SB 472 - Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

Dear Senators,

I think the harm of sending so many otherwise innocent people to prison for simple possession far outweighs the risks of decriminalizing marijuana. Prohibition did not work with alcohol and is not working with marijuana.

As the parent of a 16 year old son I do not take these issues lightly. I, of course, do not want to make it easier for my son to ruin his life by becoming a drug abuser. But after 40 years of failed drug policy based on "Just Say No" and "Throw them all in Prison," we have to try something new. We have to face the fact that the unintended consequences of these policies have caused thousands of otherwise law-abiding young people to lose their chances for a job or an education.

Pursuing minor marijuana possession cases is also a huge waste of money. This money would be much better spent pursuing hard drug cases and violent crimes.

I urge you to take part in this reform effort by VOTING FOR SB 472.

Thank you,  
Matt Binder  
Kealakekua

## hee2 - Kathleen

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**From:** Michele Nihipali [nihipalim001@hawaii.rr.com]  
**Sent:** Monday, February 25, 2013 10:02 AM  
**To:** JDLTestimony  
**Subject:** RE:Support of SB 472

Dear Senators:

Here are the facts about marijuana use in Hawaii. I support complete legalization of marijuana, but since it is not going to happen at this time, a small fine will mitigate the effects of a criminal record and the associated legal consequences. "Pakalolo" has been grown and used in Hawaii ever since anyone can remember. Unfortunately, it's economic value to the state has never been acted upon. Please decriminalize marijuana use.

Thank you for your consideration in this matter,

Michele Nihipali  
54-074 A Kam Hwy  
Hauula, HI 96717  
293-1522

- In Hawai'i:
  - Juveniles are 70% more likely to be arrested than adults.(1)
  - Native Hawaiians are 70% more likely to be arrested than non-native Hawaiians.(1)
- Convicted marijuana offenders:
  - Are denied federal student aid;
  - Lose their professional licenses;
  - Encounter barriers to employment, housing, and adoption.
- These penalties disproportionately affect young, low income, and minority individuals.(2)

### **Decriminalization does not increase marijuana use:**

- There is no evidence to support claims that criminalization reduces use or decriminalization increases use.(4)
- Studies find that decriminalizing marijuana has had no effect on marijuana use among young people.(5)
- Harsh marijuana laws do not deter use. (6)

### **Hawai'i supports decriminalization:**

- 58% of residents believe that marijuana possession for personal use should carry a fine instead of jail time.(7)
- 75% of the registered voters said if their state legislator voted to decriminalize marijuana it would either have no impact on their vote or it would actually make them more likely to vote for that legislator
- 14 states have already decriminalized marijuana: Alaska, California, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, Ohio, Oregon, Pennsylvania, and Rhode Island, plus in cities and counties in nine other states. Cultivation and distribution remain criminal offenses. In November 2012, Colorado and Washington went a step further and passed voter initiatives to tax and regulate marijuana for recreational use.



## hee2 - Kathleen

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**From:** Peter Ehrhorn [ehrhornp1@gmail.com]  
**Sent:** Monday, February 25, 2013 9:18 AM  
**To:** JDLTestimony  
**Cc:** Robert Capecchi  
**Subject:** SB 472 – Relating to Marijuana:

To: To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

From: Peter Ehrhorn

Please pass this Bill. While marijuana should be legal, this will be a first step towards that goal.

Far more harm results from the criminalization of marijuana than from marijuana use itself:

- In Hawai'i:
  - Juveniles are 70% more likely to be arrested than adults.(1)
  - Native Hawaiians are 70% more likely to be arrested than non-native Hawaiians.(1)
- Convicted marijuana offenders:
  - Are denied federal student aid;
  - Lose their professional licenses;
  - Encounter barriers to employment, housing, and adoption.
- These penalties disproportionately affect young, low income, and minority individuals.(2)

I don't know why government today refuse to acknowledge that during prohibition there were more drinkers at the end of prohibition than prior to it. The same thing has happened with the war on drugs except drugs have gotten stronger and more dangerous. Thanks a lot politicians.

So Stop supporting the Prison industrial complex and start supporting the citizens of Hawaii. Democrats, you better listen. It appears that republicans may be shifting on this issue and may end up supporting full legalization of this plant. Do you really want to be on the losing side of this?

Again, I ask that this bill be passed. I am tired of my tax dollars being wasted on a huge prison industrial complex that does more harm than good.

Best Regards,

Peter Ehrhorn  
254 Kaha St.  
Kailua, Hawaii 96734  
ph. 779-5411

## hee2 - Kathleen

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**From:** Robert Slavin [slavinrobert@me.com]  
**Sent:** Saturday, February 23, 2013 11:59 AM  
**To:** JDLEstimony  
**Subject:** in Support of SB 472

To: The Committee on Judiciary and Labor  
Senator Clayton Hee, Chair  
Senator Maile Shimabukuro, Vice Chair

From: Robert Slavin

Re: SB 472 - Relating to the removal of criminal penalties for possession of an ounce or less of marijuana, treating it as a civil violation.

Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016

Position: In Strong Support

Marijuana may be abused by some, yet it is clear that it is basically safer than alcohol, tobacco, and other drugs. The classification of marijuana as a Schedule 1 drug is tragically farcical, resulting in an overcrowding of our criminal justice system. Marijuana is viewed by a majority of our citizens as a minor offense, and our laws should reflect this common sense point of view.

I urge you to move progressively, removing criminal penalties for possession of an ounce or less of marijuana, treating it as a civil violation resulting in a reasonable fine rather than a harsh prison sentence.

Thank you,

Robert Slavin  
1129 Rycroft St. #208  
Honolulu, HI 96814  
(808) 596-8843

## hee2 - Kathleen

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**From:** Vince Callagher [vince.callagher@gmail.com]  
**Sent:** Saturday, February 23, 2013 5:43 PM  
**To:** JDLEstimony  
**Subject:** RE: SB 472 - Relating to Marijuana

To: Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
From: Vincent Callagher Zip Code 96749  
RE: SB 472 - Relating to Marijuana  
Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016  
Position: Strong Support

I support decriminalization of possession of less than an ounce of marijuana. This will help stop glut of court cases. It also has been shown the law as it stands is not working. It is a waste of money and court time.

It is time to put a stop to criminalizing non-violent citizens for a plant that has been proven to be non-addictive and less threatening than alcohol or tobacco.

--

*Aloha, Vincent*

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:25 AM  
**To:** JDLTestimony  
**Cc:** gsancheta@aol.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Gilbert Ancheta | Individual   | Comments Only      | No                 |

Comments: Prohibition only helps to create more crime. Our prisons are overflowing. We need to be true to ourselves. The so called war on drugs has not stopped the flow of more drugs. In fact there is a new drug that is trying to compete with marijuana. It is synthetic and can be produced not grown in God's earth. It is undetectable because the people that created it can change the CHEMICAL components. This is a terrible thing. It is 100 times more addictive than marijuana. No one that I know has perished from God's natural herb. Please end this prohibition. Save our children. Educate them tell them the TRUTH.

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 10:21 PM  
**To:** JDLTestimony  
**Cc:** konabakers@hawaii.rr.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Richard Baker       | Individual          | Comments Only             | No                        |

Comments: To: Senator Clayton Hee, Chair Senator Maile S.L. Shimabukuro, Vice Chair From: Richard Baker RE: SB 472 - Relating to Marijuana Hearing: Tuesday, February 26, 2013, 10:00 am, Room 016 Position: Strong Support It is time for us to stop wasting taxpayer dollars on marijuana only offenses. We have a chance to shut down the black market on marijuana by making it accessible to those that not only need it for medical reasons but also for those who can responsibly use it. The money that will be saved from putting people in jail can be better spent on educating the youth on making positive choices about all drugs.

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To all concerned,

Aloha and thank you for the opportunity to present my remarks.

First, I must acknowledge that I understand people are passionately excited while debating both sides of the legislation proposed. I understand the legalization of the overall use of marijuana is both a very personal choice, yet professional and potentially lucrative economical issue to consider for some people. I also understand that certain breeds of marijuana and their THC concentration can have positive medicinal effects for some people. Likewise, I would like to offer that prescription medicine use and sales have arguably become an abused and lucrative industry within our nation as well. I also realize and understand that some people may perceive my remarks to be humorous and/or naïve, I assure they are not. I could argue both sides of the proposed legislation, but I choose what I believe to be the wiser choice I will acknowledge in my remarks below.

To use or not to use, to legalize or not to legalize, appears to be a choice we are faced with today. We live in a country where an individual can enjoy the luxury of having and making choices, some legal and some illegal. I wore a military uniform for twenty years to fight for the rights of our nation and its people to have "choices", albeit I would prefer individuals make low-risk legal and wise choices.

I am opposed to the legalization of marijuana outside the use of medicinal purposes in the State of Hawaii for a wide variety of reasons. Several of which will be mentioned in my remarks. As one of a small group of Certified Prevention Specialists for the State of Hawaii, I took an ethical oath to teach, educate, hold a standard to, and abide by "high standards" in association with the world of substance abuse prevention and education.

The marijuana debate has long existed. Generation after generation has debated both sides of the issues and several states have legalized marijuana use.

I believe the common individual has not studied nor is aware of all of the short or long term ramifications associated with the use of marijuana. I acknowledge that THC levels vary from medicinal marijuana to the marijuana found and "sold on the street". Through MRI use and other scientific experiments, evidence exists showing chronic problems for those using marijuana - especially over extended periods of time. I question how much an individual's use of marijuana affects his or her productivity performance, motor skills, judgment, etc., much akin to excessive use of alcohol. To consider a nation full of marijuana smokers is a fearful thought. I would also wonder how our nation's defense with our military personnel would be affected. Would any of us as citizens, desire to consider a military where marijuana use is permitted? If marijuana use is not harmful, why hasn't the military approved and condoned the every day, recreational use of marijuana? Can you imagine the compromise of our national security or the lack of productivity, military training, and subsequent health problems related with continuous use of marijuana laden with excessive THC levels?

As well, one debatable argument I consider is relative to individuals who operate a vehicle under the influence of alcohol above .05 BAC within the confines of a military base or .08 on the roads elsewhere in the State of Hawaii. In my professional world facilitating groups, speaking with high school students

in a class setting, visiting treatment centers, speaking in theater sized venues to throngs of people, I often ask of the crowd the question posed, "Do we have a problem with drunk and impaired drivers on the road"? Almost immediately, all hands go up when I ask, "How many of you would say 'yes' ". Often, I receive affirmative acknowledgement of 95-100% of the crowd. So my question then becomes, "Why on Earth would we add yet ANOTHER potentially intoxicated driver to our roads and DOUBLE our problems" if marijuana use were legalized? "What are YOU doing to combat America's problems associated with drugs and alcohol if, indeed, there is an epidemic problem in American with alcohol abuse/dependency and drugs, whether legal or illegal"?

It appears to me the legalization question comes up to the surface for debate and approval most often when economic times are difficult. This is one of those times. It would be easy for all of us to give in and simply "go with the flow" and approve such a measure legalizing marijuana use and wonder what the subsequent consequences or issues may exist or come to exist in the future; especially with those individuals who will choose to chronically use high concentrated levels of THC marijuana.

As for our nation, I feel that as a society our values and, dare I suggest, morals have been deteriorating for decades. Media influence, technology, school systems, the political climate, etc., have all changed drastically over the past few decades. What was once taboo on television is now considered "the norm" and, in my humble opinion, resulted in a more "desensitized" nation of people as a whole. Arguably as examples, people are rapidly becoming more addicted to computer and cell phone interface rather than face-to-face meetings, with some technology being very useful in certain situations. However, overall and generally speaking I believe our younger generations might be losing valuable and important "people skills" because of preferred computer interface use over face-to-face interaction. Dwindling rapidly are the yesteryears where prominent figureheads such as the Walter Cronkite's for news and the Bob Hope's in the world of entertainment exist. Now, news and entertainment are reported in much different, more sensationalized, more graphic and often times more openly vulgar manners. Is our society decaying? People, especially individuals in age groups who are responsible for the higher number of substance abuse related incidents across the board (ages 18-26), are heavily influenced by these Medias and, I feel, are becoming more desensitized to what was once considered "higher standards" and, instead, choosing what is "high risk" behavior/choices versus "low-risk" behaviors/choices and especially when it comes to alcohol and drug use.

It is often said marijuana is the gateway drug; I believe alcohol to be the gateway drug. Look at society's problems now associated with alcohol use! Look at the costs associated with education and treatment as a result. Look at the overall health costs associated with someone with cirrhosis of the liver needing a liver transplant because of their high-risk choices and decisions in life. They could have and should have heeded the education and information and healthier alternative activity choices in life that most likely would have resulted in less health problems at an advanced age in life. As for smoking cigarettes and finally having the tobacco industry acknowledge the myriad of health problems and risks associated with smoking tobacco, it took generations, a lot of lobbying, a lot of politics, and a lot of money for our nation to finally concede and understand that smoking cigarettes is dangerous to one's health and that secondary smoke inhalation is unhealthy as well. Pregnant mothers are advised not to smoke. Why not? Perhaps similarities exist between smoking cigarettes and smoking marijuana. If smoking

cigarettes can cause health problems, why are we not to believe that inhaling another foreign substance into your lungs may not eventually cause needless and avoidable health problems same as the individual who is more prone to health problems than the individual who does not? Why would anyone want to legalize and invent another industry similar to the tobacco industry we are just now realizing has caused major health problems for people over the decades? I perceive most people do not enjoy eating a meal in a smoke-filled restaurant and other enclosed space. I perceive most pregnant mothers do not want to risk their unborn, the born babies to have health issues because the mother chose to smoke cigarettes during her pregnancy. Laws have been invented that, hopefully, have influenced and built a healthier individual and lifestyle. It is often said that sometimes we need to be saved from ourselves and certain laws are designed to keep us safe, especially society as a whole. I believe now is one of those times.

All of the above verbiage mentioned ties into the question and issue before us. Do we further allow yet another venue, tool, product, culture (legalized marijuana use) to exist openly and possibly increase and possibly burden our society's legal and health systems and our nation's overall "health" in the future simply to make a dollar off of a product that obviously and scientifically has proven to impair people?

Lastly, many people I have come across have mentioned to me that they "don't like the smell", "cigarettes already smell up the house, clothes, carpets, furniture, etc.", "people stoned on the road drive TOO SLOW and can cause accidents just as dangerously as those drivers who speed excessively or drive recklessly", to name a few examples. I realize these are personal perceptions and issues some people profess.

I understand the economic factors associated with legalizing marijuana use. I am just NOT convinced we should sell out, give in to, cater to, and lower our nation's moral standard for yet another potentially intoxicating drug's open legalized use. We have enough of a burden with the drugs we are confronted with now.

I am a patriot of my country and I believe in America. I was raised in a part of the country where a hard, honest day's work resulted in a paltry wage. But I was proud to have earned that wage. I believe in my country and want her to remain strong. I do, however, have major concerns to our perceived deteriorating moral decline as a nation; and I don't consider myself to be prude or staunchly conservative. Times just seem to be much less innocent, less respectful, less productive, more abrasive, more desensitized, and more individuals seem to be more selfish and feeling more "entitled" than before. I desire to see America get back on her feet and return to a time where life appeared to be more innocent, less vulgar, "healthier", and more productive as a country rather than give in to the vocal few who would prefer to see her further decay; albeit perhaps unknowingly.

Although I could continue with more dissertation and more thoroughly detailed information, to do so could fill volumes of books and fill up computer memory. I will conclude my remarks here. Please vote AGAINST the legalization of marijuana for purposes other than medicinal in the State of Hawaii.

Thank you all for your time and consideration towards my remarks.

Aloha, Jonathan Barkley



**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 10:06 AM  
**To:** JDLTestimony  
**Cc:** cheljean@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Michelle Park       | Individual          | Oppose                    | No                        |

Comments: Dear Sirs and Ma'dams, I oppose the Senate Bill 472 – which will decriminalize possession of less than an ounce marijuana. In ongoing efforts to educate our youth, families and communities about the harmful effects of marijuana as leaders lets ensure our youth have a consistent message from prevention educators and state law. This proposed bill will continue the approval of marijuana use and minimize it's harm to families and communities. Let's stand together to ensure our youth get a consistent message that marijuana use – to include possession is against the law! In times when we are dealing with ongoing medical marijuana issues we do not need to add to the chaos and begin to lessen our penalties for those that are using medical marijuana. There is enough research out there to share that only the FDA approved capsule form of "medical" marijuana is safe. Going natural is not the way to go with marijuana – according to our federal law it is still against the law. Please vote against this bill for our youth of Hawaii.

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**TESTIMONY OF THE HAWAI`I POLICE DEPARTMENT**

**SENATE BILL 472**

**RELATING TO MARIJUANA**

BEFORE THE COMMITTEE ON JUDICIARY AND LABOR

DATE : Tuesday, February 26, 2013

TIME : 10:00 A.M.

PLACE : Conference Room 016  
State Capitol  
415 South Beretania Street

PERSON TESTIFYING:

Police Chief Harry S. Kubojiri  
Hawai`i Police Department  
County of Hawai`i

(Written Testimony Only)

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:24 AM  
**To:** JDLTestimony  
**Cc:** nishimuramarina@gmail.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Marina Nishimura    | Individual          | Oppose                    | No                        |

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:24 AM  
**To:** JDLTestimony  
**Cc:** nishimuramarina@gmail.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Marina Nishimura    | Individual          | Oppose                    | No                        |

Comments:

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:14 AM  
**To:** JDLTestimony  
**Cc:** riki.shimabukuro@facebook.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|----------------------|---------------------|---------------------------|---------------------------|
| Lawrence Shimabukuro | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:11 AM  
**To:** JDLTestimony  
**Cc:** rshima15@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Ricardo Tubbs       | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 9:09 AM  
**To:** JDLTestimony  
**Cc:** miteymouse@hawaii.rr.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Riki Shimabukuro    | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 8:56 AM  
**To:** JDLTestimony  
**Cc:** lokumura@hotmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Lorrin Okumura      | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth. I oppose this bill because it will lead to increased drug dealing, addiction and crime.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 8:55 AM  
**To:** JDLTestimony  
**Cc:** pkawasaki@maunalani.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Patricia Kawasaki   | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends a wrong message to our youth, the future adults of tomorrow.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 8:47 AM  
**To:** JDLTestimony  
**Cc:** priscilla.k.bastatas.mil@mail.mil  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Maka Bastatas       | Individual          | Oppose                    | No                        |

Comments: I strongly oppose this bill as it will cause more damage than good to this state and our future! Colorado and Washington are going to struggle and this is one less thing Hawaii needs to worry about! If this bill is passed it shows complete disregard for the safe being of our youth...we're already in the midst of a drug epidemic and don't need to waste any more time, money, effort, energy into this subject! How's about we put money towards PREVENTION...and actually try to save what ever value our society actually has left! I strongly oppose this bill!!!!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 8:25 AM  
**To:** JDLTestimony  
**Cc:** miwamasa@maunalani.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Myrna M. Iwamasa    | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it will send the wrong message to the children and it will definitely lead to an increased addiction and crime. We already have too many drug related crimes being committed. Please stop trying to legalize marijuana, it is a drug and should always be considered drug that is not good for society.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 8:16 AM  
**To:** JDLTestimony  
**Cc:** venusinblu27@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Junet Higashihara   | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

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I work with "at risk" teens and I see how marijuana negatively impacts the lives of these teens. Marijuana affects them so much that they don't even view it as a drug or illegal substance. There needs to be stricter punishments for drug use not less severe ones. I oppose this bill because it sends the wrong message to our youth. I also oppose this bill because it will lead to increased drug dealing, addiction and crime.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 7:43 AM  
**To:** JDLEstimony  
**Cc:** bjanicki@hingyca.org  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM  
**Attachments:** SB 472.docx

### SB472

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Bryant Janicki | Individual   | Oppose             | No                 |

#### Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 7:26 AM  
**To:** JDLTestimony  
**Cc:** Ktyamamo@hawaiiigas.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kenneth Yamamoto    | Hawaii Gas          | Oppose                    | No                        |

Comments: We oppose this bill not only because drugs have no place in the work environment, but because for society in general, it will lead to increased drug dealings, addiction and crime.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 7:06 AM  
**To:** JDLTestimony  
**Cc:** waraki@fcoh.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| wenda araki         | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because anything related to drugs is sending the wrong message to our youths.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 6:20 AM  
**To:** JDLEstimony  
**Cc:** debbie@jaycohawaii.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Debora Lopes        | Individual          | Oppose                    | No                        |

Comments: I oppose this measure because it sends a very bad message to our youth. This substance is illegal, regardless on how much you have in your possession and I feel it should remain that way.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 5:48 AM  
**To:** JDLTestimony  
**Cc:** gracelee@hawaiiantel.net  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Grace Lee           | Individual          | Oppose                    | No                        |

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 1:38 AM  
**To:** JDLEstimony  
**Cc:** dkcw@hawaiiintel.net  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| david k c wong      | Individual          | Oppose                    | No                        |

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 12:23 AM  
**To:** JDLTestimony  
**Cc:** elecbuyer@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Ronald Katto        | Individual          | Oppose                    | No                        |

Comments: I oppose this as it will send the wrong message to our youth.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 25, 2013 12:19 AM  
**To:** JDL Testimony  
**Cc:** clee777@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/25/2013  
Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Calvin Lee          | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 10:13 PM  
**To:** JDLTestimony  
**Cc:** claire\_ota@hotmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| claire ota          | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it would send the wrong message to our youth and also it would lead to more crime and drug trafficking.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 8:49 PM  
**To:** JDLTestimony  
**Cc:** cyim1@hotmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| clifton yim         | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth. I oppose this bill because it will lead to increased drug dealing, addiction and crime.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 6:37 PM  
**To:** JDL Testimony  
**Cc:** nshima411@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Nina ota            | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it will lead to increased drug dealing, addiction and crime.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 6:16 PM  
**To:** JDLTestimony  
**Cc:** tsuhad001@hawaii.rr.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Don Tsuha           | Individual          | Oppose                    | No                        |

Comments: I strongly oppose this bill. It sends the wrong message to not only the community in general, but especially our youth. Marijuana legalization will lead to increased problems with drug addiction, crime, and violence. Please do not pursue passage of this, or any other bills that legalize marijuana or any other drugs that may negatively effect the future of our community.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 4:28 PM  
**To:** JDLEstimony  
**Cc:** donalynnaihe@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Donalyn Naihe       | Individual          | Oppose                    | No                        |

Comments: Please oppose SB472. Please kokua our State and keep it Hawaiian, keep it culture and keep it Marijuana Free. I come from a small rural community of Hana where Marijuana is very prevalent, with cut back programs of prevention and treatment. Having this bill pass will only demoralize our community and take away the last "old hawaiian town" we have left in Hawaii. Please save our islands by voting against this SB472. I Mahalo your support. Aloha palena'ole, Aunty Donalyn Naihe 2487552

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 3:22 PM  
**To:** JDLTestimony  
**Cc:** maedvd@hawaiiantel.net  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kalfreda Wataoka    | Individual          | Oppose                    | No                        |

Comments: I oppose Senate Bill 472 that proposes to make possession of less than one ounce of marijuana a civil fine and deletes the criminal offense of possessing any amount of marijuana. As a grandparent of four, are you law makers now saying it is okay for our children, grandchildren and great grandchildren that there is no harm in using and possessing marijuana? Are you saying by allowing people to possess marijuana, it will make it less of a problem to our society? According to SAMSHA, in 2010, treatment admissions with marijuana as the primary drug in Hawaii was 72.70%. A marijuana joint only takes between 1/2 to one gram. There are 28 grams to an ounce. You will be allowing an individual to have or sell 189 to 378 joints per week which will be even higher for those who are trafficking the joints. These will eventually end in, on, or around our neighborhoods, schools, school vehicles, public parks, public housing projects. What kind of environment, you the lawmakers, are encouraging? You should be the guardians of the community and think of ways to rid the community of illegal substances. Thank you for the opportunity to testify on this matter.

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**hee2 - Kathleen**

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**Sent:** Sunday, February 24, 2013 2:31 PM  
**To:** JDLEstimony  
**Cc:** wvpk@hotmail.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Marsha Nakasone     | Individual          | Oppose                    | No                        |

Comments:

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 2:25 PM  
**To:** JDLTestimony  
**Cc:** jlwi3@gmail.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Judy Lawi           | Individual          | Oppose                    | No                        |

Comments: I oppose this bill because it sends the wrong message to our youth.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 1:57 PM  
**To:** JDLTestimony  
**Cc:** aukaipacific@aol.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Robert Hall         | Individual          | Oppose                    | No                        |

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 1:10 PM  
**To:** JDLTestimony  
**Cc:** akfountain@yahoo.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Arlene Fountain     | Individual          | Oppose                    | No                        |

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 12:50 PM  
**To:** JDLTestimony  
**Cc:** samoahu@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Sam Au              | Individual          | Oppose                    | No                        |

Comments: The logic doesn't make sense. Sends the wrong message. Getting just a little high is okay or just keep your stash separate.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 12:46 PM  
**To:** JDLTestimony  
**Cc:** mshima@hawaii.rr.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Marian Shimabukuro  | Individual          | Oppose                    | No                        |

Comments: I believe this bill will increase addiction and crime in our neighborhoods. It also sends a wrong message to our keiki. Thank you.

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TESTIMONY ON SENATE BILL 472  
RELATING TO MARIJUANA

Senate Committee on Judiciary and Labor  
Senator Clayton Hee, Chair  
Senator Maile S. L. Shimabukuro, Vice Chair

February 24, 2013

Chair Hee, Vice Chair Shimabukuro, and Members of the Committee:

I oppose Senate Bill 472 that proposes to make possession of less than one ounce of marijuana a civil fine and deletes the criminal offense of possessing any amount of marijuana.

The use and possession of illegal drugs should not be penalized the same way as a traffic violation. Doing so will create the impression that the use of marijuana is not a big deal. Any legislative action that legalizes or decriminalizes marijuana will negatively affect the people of Hawaii. According to SAMSHA Treatment Episode Data (TEDS), treatment admissions with marijuana as the primary drug in Hawaii accounted for 72.70% of the total amount for the 12 to 17 age group in 2010. Marijuana is a highly addicting drug and efforts to decriminalize it will decrease the perception that it is a health risk.

Decriminalizing the possession of less than an ounce would allow use and drug dealing to flourish. Twenty-eight (28) grams equals one ounce. The average marijuana joint is between ½ to one gram. A one-gram joint is a really large joint. SB 472 would allow individuals to have 27 to 54 joints at any given time. This bill would allow an individual to possess or sell 189 to 378 joints per week at a minimum, and have no fear of criminal prosecution. Dealers could replenish their supply over and over within a day, so the amount of marijuana trafficked could be significant.

Senate Bill 472 goes even further by allowing any person to possess one ounce or less of marijuana in, on, or around our neighborhoods, schools, school vehicles, public parks, public housing projects and/or complexes without it being a criminal violation. This would create a conflict with the drug free zones around our schools that were created to protect our children and teachers and affect the safety of the public.

Thank you for the opportunity to testify on this matter.

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 24, 2013 12:00 PM  
**To:** JDLTestimony  
**Cc:** sean.haggerty21@gmail.com  
**Subject:** \*Submitted testimony for SB472 on Feb 26, 2013 10:00AM\*

**SB472**

Submitted on: 2/24/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| sean haggerty       | Individual          | Oppose                    | No                        |

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 23, 2013 1:57 PM  
**To:** JDLTestimony  
**Cc:** mariarossman@yahoo.com  
**Subject:** Submitted testimony for SB472 on Feb 26, 2013 10:00AM

**SB472**

Submitted on: 2/23/2013

Testimony for JDL on Feb 26, 2013 10:00AM in Conference Room 016

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| maria rossman       | Individual          | Oppose                    | No                        |

Comments: I am against decriminalization of marijuana. If my legislator voted for it, I would seriously think of not voting for him/her again. I am against use of marijuana for recreational or medicinal use.

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