



*The Judiciary, State of Hawaii*

**Testimony to the Senate Committee on Judiciary and Labor**

Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

Thursday, February 26, 2015, 9:00 a.m.  
State Capitol, Conference Room 016

by  
Calvin Ching  
Deputy Chief Court Administrator  
First Circuit

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** Senate Bill No. 879, Relating to Marijuana.

**Purpose:** Establishes a civil violation subject to a fine of \$100 for intentional or knowing possession of one ounce or less of marijuana.

**Judiciary's Position:**

The Judiciary, while recognizing the important societal aspects of this bill takes no position on the merits of the bill. However, the Judiciary is concerned about the impact the proposed bill will have on the operations of the District Courts and has the following comments regarding the complexities of implementing the proposed legislation should it become law.

- 1) Hawaii Revised Statutes (HRS) Section 701-107 (5) provides the definition of a violation. Although a violation does not constitute a crime, it constitutes a penal offense which is processed in the courts in the same manner as a crime. A defendant is required to appear in court, be arraigned, enter a plea, have a trial if plea is not guilty and be sentenced if there is a conviction. The District Courts easily process these violations using existing criminal procedures. Therefore, the purpose of this bill may be better achieved without the necessity of creating a new system for adjudicating a "civil violation," by redefining the possession of one ounce or less of marijuana as a violation. HRS Section 701-107 (5) provides that:



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Senate Committee on Judiciary and Labor  
Thursday, February 26, 2015  
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(5) An offense defined by this Code or by any other statute of this State constitutes a violation if it is so designated in this Code or in the law defining the offense or if no other sentence than a fine, or fine and forfeiture or other civil penalty, is authorized upon conviction or if it is defined by a statute other than this Code, which provides that the offense shall not constitute a crime. **A violation does not constitute a crime, and conviction of a violation shall not give rise to any civil disability based on conviction of a criminal offense.** (Emphasis added.)

- 2) As written, the bill will require the creation of a new citation book, or modification of existing citation books, to provide for this single type of civil violation. The Judiciary is currently responsible for creating, printing and distribution of citation books to law enforcement. Therefore, additional printing costs for the Judiciary will be incurred should this bill become law. For example, the Judiciary recently printed 80,000 new citations (a total of 4,000 books containing 20 citations in each book) for the First Circuit, at a cost of \$12,408. Similarly, additional costs would be incurred to provide citation books for the Second, Third, and Fifth Circuits making the total estimated cost close to \$24,000.
- 3) The creation of a new “civil violation” may necessitate the need to modify existing electronic case management systems to provide for data entry of the charge as a civil violation rather than a penal offense. For example, modifications to the case management system would need to address such issues as the creation of civil violations and the automatic printing of default judgments. In addition, as these are civil fines, the methodology to transfer the outstanding fines would need to be developed for transmittal to a collections agency. While the costs related to creating the new civil violation are difficult to estimate, there will be costs to make adjustments to the JIMS case management system and such adjustments will likely be significant and possibly cause delay in the implementation of ongoing JIMS projects. (See Attachment A)
- 4) Statewide, it is not likely that the number of charged cases for possession of small amounts of marijuana is sufficient to warrant the creation of a civil violation scheme. (See Attachment B)
- 5) Should this bill be enacted, the Judiciary requests that the Legislature afford the Judiciary time to address these and other issues related to the implementation of this bill. A suggested date of January 2017 provides the Judiciary with the time to address these operational, logistical and technology issues.

Thank you for the opportunity to provide comments on this measure.



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**ATTACHMENT A**  
 Marijuana / Civil Infractions

**Calendar Year 2013**

<b>1D</b>	HRS 712-1249	327
<b>1D</b>	HRS 712-1246.5	5
<b>1D</b>	HRS 712-1248(1)(c)	3
	<b>Total</b>	<b>335</b>
<b>2D</b>	HRS 712-1246.5	3
<b>2D</b>	HRS 712-1248(1)(c)	16
<b>2D</b>	HRS 712-1249	10
	<b>Total</b>	<b>29</b>
<b>3D</b>	HRS 712-1248(1)(c)	13
<b>3D</b>	HRS 712-1249	42
<b>3D</b>	HRS 712-1246.5	5
	<b>Total</b>	<b>60</b>
<b>5D</b>	HRS 712-1246.5	3
<b>5D</b>	HRS 712-1248(1)(c)	5
<b>5D</b>	HRS 712-1249	55
	<b>Total</b>	<b>63</b>

**Grand Total 487**

**Calendar Year 2014**

<b>1D</b>	HRS 712-1246.5	10
<b>1D</b>	HRS 712-1248(1)(c)	2
<b>1D</b>	HRS 712-1249	419
	<b>Total</b>	<b>431</b>
<b>2D</b>	HRS 712-1249	33
<b>2D</b>	HRS 712-1248(1)(c)	5
<b>2D</b>	HRS 712-1246.5	2
	<b>Total</b>	<b>40</b>
<b>3D</b>	HRS 712-1249	28
<b>3D</b>	HRS 712-1246.5	3
<b>3D</b>	HRS 712-1248(1)(c)	7
	<b>Total</b>	<b>38</b>
<b>5D</b>	HRS 712-1246.5	1
<b>5D</b>	HRS 712-1249	58
<b>5D</b>	HRS 712-1248(1)(c)	3
	<b>Total</b>	<b>62</b>

**Grand Total 571**

The above are counts of cases that were initiated with one or possible more of the three charge codes shown.

**ATTACHMENT B**

**Decriminalization of Marijuana in JIMS**

**Initial Analysis**

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## 1. Requirement

Initial analysis on leg proposed bill to decriminalize marijuana impacting JIMS.

## 2. Initial Analysis

- HAJIS : HAJIS system was considered to implement the changes as the new citations are to be treated as civil citations. However the bill provides for the payment of the fine to be done via internet or phone. Since HAJIS currently does not have this facility , we cannot implement this in HAJIS.
- Using case type CC : Discussed the possibility of including the Criminal citation type in portal . However this cannot be used as CC case types do not have accounting piece in it . Any changes will impact existing criminal citations as well. Also statistical data may not be correct.
- Using case type TI : Discussed the possibilities of using the TI case type for these violations. For TI case types, we may not need any changes to oracle forms or e-traffic and IVR for payments. However the impact will be on all interfaces which need to be reviewed to exclude the cases in scope. Also, the terminology of traffic infraction itself is in contradiction to the bill which clearly mentions these cases to be Civil citations. This would impact statistical data for TI cases.

## 3. Proposed Solution

1. New case type creation :
  - A) Portal : Creating a new case type itself is a simple change however to create new case ids based on this case type will require analysis.
  - B) Oracle forms: As per Dana , new case type creation can be done with using Control forms however this needs to be verified.
2. New case creation :
  - A) Portal : Creating a new case of a new case type will involve including the accounting piece while case creation as we need the new case types to be payable by e-traffic and IVR.
  - B) Oracle forms : Creating a new case of the new case type in oracle forms will involve in-depth analysis on whether this can be done without any code changes. Depending on the analysis we may require code changes to case creation in Oracle forms.
3. Over the counter payments :
  - A) Portal : Portal currently does not have any ability to accept payments. The entire accounting piece for accepting payments over the counter need to be set up . This is as good as building 'accounting' system for portal.
  - B) Oracle forms : Needs in-depth analysis on whether the new case type can be set up to be accessible by the existing payment screens in forms without any code changes. Depending on the analysis we may require code changes to include the new case type in the payment screens in Oracle forms.
4. New predecessor (Pred) code for the new charge code:
  - A) Portal : Need analysis to see what changes are required to set up a new predecessor code. New charge codes can be set up through the application.
  - B) Oracle forms: If functionality achieve in Portal , Oracle forms may not need any change.
5. Changes to e-traffic and IVR

- A) JIMS database procedures will require changes to send data to HIC and IVR for the new case type and update the accounting tables based on the information received from HIC/IVR. These changes will have to happen along with changes to e-traffic system by HIC and IVR system by First Data.
6. Changes to DJ generation :
    - A) Portal : will undergo changes to include the new case type for DJ generation.
    - B) Oracle forms : Will undergo changes to the Letter merge screen to include the DJ generation for the new case type .If DJ changes are given through portal this may not be need be required even if other changes are done using the portal.
  7. Changes to the DJ ODP :
    - A) Portal : Depending upon the business need the wording of the existing DJ may have to be changed or a new DJ may have to be created for new case type.
    - B) Oracle forms : If a new DJ is required , then will involve more changes in the Letter merge forms. If functionality provide through Portal , oracle form changes may not be required.
  8. Changes to the Collections interface :
    - A) Batch job for collections : will undergo changes to include the new case type while sending the collections data to MSB and also while receiving the file back from them.
  9. Reports
    - A) Fiscal reports requires changes to include data from the new case types. Depending on business need, may have to create new reports as well.

## 4. Scope

- Analysis, coding and Testing , deployment
- Coordination with third party HIC and First Data for interface / reports

## 5. Assumption

- New Case type creation is possible through Oracle with no additional code changes / testing
- Fees collection / payment will be supported using existing Oracle forms by just adding new case type (parameterization) and with no code change
- Entire GL process will be just parameterized and no code changes required for new case type added
- First data will modify IVR system & HIC will modify 'eTraffic' system and are in agreement with our schedule for integration testing / deployment in production
- No effort any analyzing, modifying, testing of existing JIMS interface(s).
- Need detailed functional information on Oracle Form undergoing changes



## 6. Challenges

- Limited knowledge on accounting /GL system as IGATE has not worked earlier
- Oracle Forms – identifying correct version
- Abiding schedule by different vendor working on this initiative(IGATE, First Data, other interface agencies)
- Setting up complex business rules with extensive testing for GL interface

## 7. Rough estimation – Cost / Schedule

Considering extremely limited time for analysis, our estimation is based on information we collected in couple of hours.

The actual schedule and cost may vary 30 to 40 % or beyond, once we have detailed information.

With current assumption and risk, we assume minimum period of 6-7 months for design, development and testing. It may extend to 2-3 additional months as we expect major business rule for accounting system to be implemented.

The cost comes to **\$850K** with minimum **7 months** schedule.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO  
PROSECUTING ATTORNEY

ARMINA A. CHING  
FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR**  
**SENATE COMMITTEE ON JUDICIARY**  
**Twenty-Eighth State Legislature**  
**Regular Session of 2015**  
**State of Hawai`i**

February 26, 2015

**RE: S.B. 879; RELATING TO MARIJUANA.**

Chair Keith-Agaran, Vice-Chair Shimabukuro, members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following testimony in strong opposition to S.B. 879.

Currently, violation of Section 712-1249, Hawaii Revised Statutes (“HRS”)—essentially, possession of less than one ounce of marijuana—is already a petty misdemeanor, the absolute lowest level of crime by Hawaii’s standards. This is the same classification that applies to being in a public park after closing hours, or possessing an unsealed container of liquor in public.

While it is possible violation of HRS §712-1249 to result in jail-time, this is actually very rare, aside from any possible holding-time while a defendant awaits their first hearing. Indeed, many of these offenders may not require jail-time; however, the petty misdemeanor classification is the lowest classification that allows our courts to impose assessments, treatment and oversight for potential substance abuse, when necessary.

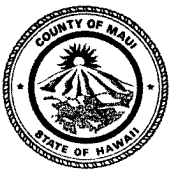
If S.B. 879 is allowed to pass, not only will the courts lose all of those options entirely, but the Legislature will essentially be sending a message to the public—and to Hawaii’s youth—that illegal possession of this controlled substance is significantly less egregious than crossing a white line while driving, using a turn signal for at least 100 feet before turning right or left, or practically any other traffic infraction currently in law.

In light of this, the Department strongly believes that decreasing the possession of less than one ounce of marijuana to a civil violation would not only fail to reflect the Legislature’s concern about illegal possession of marijuana, but would also—vastly—decrease the level of

significance that the legislature, law enforcement, and ultimately the public, place on this Schedule I controlled substance.

Pursuant to both State and Federal schedules, possession of any amount of marijuana is strictly prohibited, except by qualifying patients registered to use medical marijuana (and their caregivers). Notably, the Federal schedule of controlled substances was updated very recently in February 2015, and continues to list marijuana as a Schedule I controlled substance. Even in recent years, numerous and ongoing studies have shown that marijuana presents significant health concerns, particularly to youth, who will inevitably receive the message that marijuana is simply "not that bad" because "it's not even a crime." Businesses who currently allow smoke breaks for those who smoke cigarettes would potentially see a sharp increase in smoking marijuana on or off the job, because "it's not even a crime."

Given the strong potential for widespread abuse and negative effects on the community, the Department strongly maintains that violation of HRS §712-1249 should continue to be regulated and enforced as a petty misdemeanor, giving our courts the discretion to sentence each individual as appropriate. For this and all of the reasons stated above, the Department of the Prosecuting Attorney of the City and County of Honolulu strongly opposes S.B. 879. Thank you for the opportunity to testify on this matter.



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

February 25, 2015



TIVOLI S. FAAUMU  
CHIEF OF POLICE

DEAN M. RICKARD  
DEPUTY CHIEF OF POLICE

The Honorable Gilbert S.C. Keith-Agaran, Chair  
and Members of the Committee on Judiciary and Labor  
The Senate  
State Capitol  
Honolulu, HI 96813

RE: Senate Bill No. 879, RELATING TO MARIJUANA

Dear Chair Keith-Agaran and Members of the Committee:

The Maui Police Department OPPOSES the current draft of S.B. No. 879.

This bill proposes to establish a civil penalty to a fine of \$100 for intentional or knowing possession of one ounce or less of marijuana.

The Maui Police Department opposes this measure as it makes light of a criminal act, comparing it to a traffic citation with a minimal fine. The proposed bill will have a minimal fine that an offender can pay over and over again with no increase or fear of repercussion. It will not ease the court system as believed because there will still be some offenders who will not pay the fine and a warrant for their arrest will be issued.

The language also includes the possession of one ounce of marijuana concentrates that have THC concentrates as high as 90%. Levels of THC that high have caused schizophrenia and psychosis that have led to extended hospital stays, permanent brain damage, injuries and death (via accidents or suicide). Also the extraction process in which BHO (Butane Honey Oil) is produced has caused fire and explosions causing injuries and damages due to the highly flammable chemicals used.

For those reasons the Maui Police Department asks that you OPPOSE S.B. No. 879.

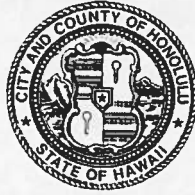
Thank you for the opportunity to testify.

Sincerely,

  
TIVOLI S. FAAUMU  
Chief of Police

POLICE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

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



KIRK CALDWELL  
MAYOR

LOUIS M. KEALOHA  
CHIEF

DAVE M. KAJIHIRO  
MARIE A. McCAULEY  
DEPUTY CHIEFS

OUR REFERENCE JK-TA

February 26, 2015

The Honorable Gilbert S. C. Keith-Agaran, Chair  
and Members  
Committee on Judiciary and Labor  
State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Keith-Agaran and Members:

**SUBJECT: Senate Bill No. 879, Relating to Marijuana**

I am Jason Kawabata, Captain of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu. The HPD opposes Senate Bill No. 879, Relating to Marijuana.

This bill seeks to amend Chapter 329, Uniformed Controlled Substances Act, 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.

The intentional or knowing possession by a person eighteen years of age or older of one ounce or less of marijuana would constitute a violation. However, possession by a person less than eighteen years of age is not addressed in the bill. This makes it appear legal for minors to possess marijuana.

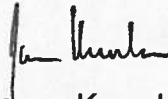
The HPD is not opposed to levying a fine for first-time offenders. However, sentencing should also include mandatory substance abuse treatment, as it would be in the person's and the community's best interest if addiction is treated at its earliest possible stage. In addition, repeat offenders should be subject to increasing penalties.

The Honorable Gilbert S. C. Keith-Agaran, Chair  
and Members  
Committee on Judiciary and Labor  
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February 26, 2015

The HPD urges you to oppose Senate Bill No. 879, Relating to Marijuana.

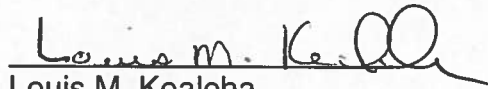
Thank you for the opportunity to testify.

Sincerely,



Jason Kawabata, Captain  
Narcotics/Vice Division

APPROVED:



Louis M. Kealoha  
Chief of Police

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

**SENATE BILL 879**

**RELATING TO MARIJUANA**

**BEFORE THE COMMITTEE ON JUDICIARY AND LABOR**

DATE : Thursday, February 26, 2015

TIME : 9:00 A.M.

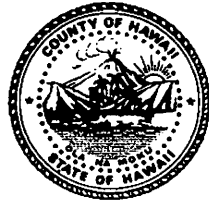
PLACE : Conference Room 016  
State Capitol  
415 South Beretania Street

**PERSON TESTIFYING:**

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

(Written Testimony Only)

William P. Kenoi  
Mayor



Harry S. Kubojiri  
Police Chief

Paul K. Ferreira  
Deputy Police Chief

## County of Hawai'i

### POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998  
(808) 935-3311 • Fax (808) 961-2389

February 23, 2015

Senator Gilbert S.C. Keith-Agaran  
Chairperson and Committee Members  
Committee On Judiciary and Labor  
415 South Beretania Street, Room 016  
Honolulu, Hawai'i 96813

**Re: Senate Bill 879 Relating to Marijuana**

Dear Senator Keith-Agaran:

The Hawai'i Police Department strongly opposes passage of Senate Bill 879, relating to Marijuana. The stated intent of this legislation is to establish a civil penalty for possession of one ounce or less of marijuana or marijuana concentrate that is subject to a fine of not more than \$100.

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 either an ounce or less of Marijuana, while at the same time illegally possessing other Schedule I drugs, where one is civil and the other criminal. Furthermore, an average Marijuana cigarette contains .5 grams of Marijuana meaning one ounce of Marijuana equates to 56 Marijuana cigarettes.

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**, contrary to the passage in the proposed legislation that "the legislature does not intend to imply that such possession is acceptable. The legislature notes that possession of one ounce or less of marijuana is still prohibited conduct under this Act; it will simply be handled in a manner commensurate with the offense. That is not the case and, as such, the current statutes governing Marijuana possession and consumption should not be decriminalized.

We find it somewhat odd that the State and County governments in Hawai'i are continuously restricting the availability and use of tobacco products and at the same time would consider decriminalizing a proven mind-altering substance with its attendant ill effects on both the users and non-users of the substance.



Senator Gilbert S.C. Keith-Agaran

**Re: Senate Bill 879 Relating to Marijuana**

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The Hawai`i Police Department is unable to overlook the results of a recent study by the Columbia University's Mailman School of Public Health which gathered data from six states – California, **Hawaii**, Illinois, New Hampshire, Rhode Island, and West Virginia which are states that perform toxicology tests on drivers involved in fatal car crashes between 1999 and 2010. Dr. Guohua Li, director of the Center for Injury Epidemiology and Prevention at Columbia, and co-author of the study has reported that alcohol contributed to about 40 percent of traffic fatalities throughout the decade.


The researchers found that drugs played an increasing role in fatal traffic accidents. Drugged driving accounted for more than 28 percent of traffic deaths in 2010, which is 16 percent more than it was in 1999.

The researchers also found that **marijuana was the main drug involved in the increase**. It contributed to 12 percent of fatal crashes, compared to only 4 percent in 1999.

Lastly, we are hard-pressed to ignore the recent 2015 statements by eight former heads of the DEA and four former heads of the Office of National Drug Control Policy urging the federal government to nullify the recent votes in Colorado and Washington with regards to legalization/decriminalization.

For these reasons, we urge this committee on behalf of the community we serve to reject this legislation. Thank you for allowing the Hawai`i Police Department to testify on Senate Bill No. 879.

Sincerely,



HARRY S. KUBOJIRI  
POLICE CHIEF



## Progressive Democrats of Hawai'i

<http://pd-hawaii.com>

1418 Mokuna Pl. Pl, Honolulu, HI 96816

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tel: 808-542-9084

### COMMITTEE ON JUDICIARY AND LABOR

February 26, 2015 9:00 am, Room 016

#### TESTIMONY IN SUPPORT OF SB 879, RELATING TO MARIJUANA

Aloha Chair Keith-Agaran, Vice-Chair Shimabukuro and Members of the Committee,

My name is Bart Dame and I am testifying on behalf of Progressive Democrats of Hawaii in support of SB 666, SB 708 and SB 879. While there are differences between these bills, as well as with SB 596, passed earlier by the Health Committee, we leave it to your wisdom to come up with the best bill.

In truth, PDH supports full legalization of recreational use of marijuana by consenting adults and believes the state has no legitimate right to threaten users with arrest, seize their property, impose legal costs upon them, coerce them to testify against their associates and to otherwise disrupt people's lives.

While decriminalization is still rooted in an unjustified assumption government has a right to prevent people from engaging in behavior which does no harm to others and is relatively harmless to themselves, we recognize this is halfway to a more sensible approach on marijuana use.

We are disappointed at the reluctance of the legislative leadership to allow debate on full legalization. We believe legalization is coming to Hawaii. Some legislators believe it is appropriate to allow other, more forward-thinking states, like Washington, Colorado and now Oregon and Alaska, to take the lead on a sensible drug policy. But the refusal to hold discussions this year will delay the ripening of understanding which would allow leaders and members of the public to relax their fears, to discard their prejudices. Were the topic not treated as tabu, we could start that discussion now, laying the groundwork for legalization to get serious consideration two years from now.

We are also disappointed some legislators appear to believe they are being sufficiently brave by supporting the establishment of dispensaries for medical marijuana. We disagree. We believe the dispensaries should have been established a dozen years ago. Frankly, that approach needlessly empowers HPD and groups like Drug Free Hawaii to retard meaningful progress towards a sensible drug policy, which should not be based upon the sort of blackmail and Reefer Madness fear-mongering which is their specialty, but upon a strategy of "Harm Reduction."

And, moving beyond Harm Reduction, we believe there is a lucrative niche market of tourists who would like to come to Hawaii and smoke Hawaii grown marijuana, which has an international reputation and would fetch high prices, allowing our small farmers to plant the most profitable crop suitable for our state, **if only the government would get out of the way.** There are a significant number of tourists who would love to be able to lounge around a pool, lay on the beach or watch the sunset, under the influence of marijuana. They can do that now, if they drink a Mai Tai or a beer, but not from a joint. This legal reality reflects the cultural prejudices of an alcohol-centric mindset and industry and lacks a rational basis.

So please, yes, stop arresting people for getting high. Give them a ticket if you must impose unreasonable control over other people's lives. But it is much smarter to just legalize it.

Thank you for the opportunity to testify.

THE LIBERTARIAN PARTY OF HAWAII  
C/O 1658 LIHOLIHO ST #205  
HONOLULU, HI 96822

**TESTIMONY**

February 23, 2014

RE: **SB 879** to be heard Thursday February 26, 2015 in Conference Room 016 at 9:00 AM

To the members of the Senate Committees on Judiciary and Labor

**SUPPORT the intent**

Please stop the timidity and half measures. Marijuana will be legal in much of the US in the next four of five years. Hawaii needs to be legal now so that we can have time to develop a viable export industry. Every session that goes by without legislative action on this costs our economy millions or even billions of dollars a year. The Democratic Party's response to these facts with such a small time approach is not acceptable to voters, users, or agricultural interests here.

We suggest the language in this bill be gutted and replaced with SB 383 which will intelligently answer the questions the Democratic Party seems unwilling to address in SB 879.

Tracy Ryan  
Chair

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB879 on Feb 26, 2015 09:00AM  
**Date:** Tuesday, February 24, 2015 4:44:31 PM

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**SB879**

Submitted on: 2/24/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Ruggles	Alternative Pain Management Puuhonua LLC	Support	No

Comments: I support SB 879. To have civil penalties associated with the possession of 1 ounce or less of cannabis is better than criminal penalties. This is a move in the right direction and will hopefully reduce some of the burden on the judicial system.

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.

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**Testimony in Opposition to SB 879 – Relating to Marijuana**

Hearing Scheduled

February 26, 2015, 9:00 am

Conference Room 016 of the State Capitol

TO: Committee on Judiciary and Labor  
Senator Gilbert Keith-Agaran, Chair  
Senator Maile Shimabukuro, Vice Chair

FR: Alan Shinn, Executive Director  
Coalition for a Drug-Free Hawaii  
1130 N. Nimitz Hwy, Suite A-259  
Honolulu, HI 96817  
(808) 545-3228 x29

Please accept this testimony in opposition to ***SB 879 – Relating to Marijuana***, that establishes a civil violation for possession of one ounce or less of marijuana and a civil fine of not more than \$100, among other provisions.

SB 879 like SB 666 and SB 708, is based on the false assumption that law enforcement is spending an inordinate amount of resources on small marijuana possession cases. Currently, no one goes to jail solely for possession of small amounts of marijuana. HPD reported that in 2012, 7 people were incarcerated for marijuana possession and most served less than 10 days. Obviously, law enforcement is not spending huge amounts of time or resources on this issue. Decriminalization of marijuana in Hawaii may not be necessary.

RE: Section 6, the subsection on paroled individuals and substance abuse treatment, Hawaii already has the Hope Court, a successful, nationally recognized drug court program. It incorporates coerced treatment with the threat of immediate sanctions for first time drug offenders.

Thank you for the opportunity to provide testimony on SB 879.



*Dedicated to safe, responsible, and effective drug policies since 1993*

TO: SENATE COMMITTEE ON JUDICIARY & LABOR

FROM: PAMELA LICHTY, M.P.H., PRESIDENT

DATE: FEBRUARY 26, 2015, ROOM 016

RE: S.B. 879 RELATING TO MARIJUANA – **IN SUPPORT OF INTENT**

Good afternoon, Chair Keith-Agaran, Vice Chair Shimabukuro and members of the Committee. My name is Pam Lichty and I'm President of the Drug Policy Action Group (DPAG), the government affairs arm of the Drug Policy Forum of Hawaii.

We strongly support the intent of S.B. 879 which would move the possession of an ounce or less of marijuana from a petty misdemeanor to a civil infraction, but we believe this measure is inadequate in comparison with S.B. 666 which is far more comprehensive.

**While S.B. 879 is strong statement of the legislature's intent, it lacks the details that would help effectuate this relatively complex change to Hawaii's laws.** We ask the Committee to defer action on this measure in favor of passing out S.B. 666.

Mahalo for scheduling these important measures on decriminalization today and for affording us the opportunity to testify.



*Hawaii's voice for sensible, compassionate, and just drug policy*

**COMMITTEE ON JUDICIARY AND LABOR**

Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

Thursday, February 26, 2015  
9:00 AM

Conference Room 016  
State Capitol  
415 South Beretania Street

**Executive Director Rafael Kennedy Comments on SB879 – Relating to Marijuana**

Aloha Chair Keith-Agaran, Vice Chair Shimabukuro, and members of the committee,

The Drug Policy Forum of Hawaii strongly supports SB666 as the best vessel for decriminalization in the state of Hawaii. We support the intent of this bill but cannot support the bill itself because, while it *does* create a civil violation for possession of marijuana, it **does not remove the criminal penalties**, or address any of the other penalties that can be accrued because of possession of marijuana. It thus would not create any better outcomes for those people found to be in possession of marijuana. For that reason we urge you to support SB666 or SB708 instead of SB879.

Mahalo for your consideration on this important matter, and for the opportunity to testify.

Rafael Kennedy  
Executive Director,  
Drug Policy Forum of Hawaii

The Drug Policy Forum of Hawaii works to educate policymakers and the public about effective ways of addressing drug issues in Hawai'i with sensible and humane policies that reduce harm, expand treatment options, and adopt evidence-based practices while optimizing the use of scarce resources.



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**Date:** Wednesday, February 25, 2015 4:10:16 PM

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Bacher	Green Futures	Support	No

Comments:

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# HAWAII FAMILY ADVOCATES

A 501(C) (4) organization associated with Hawaii Family Forum

ONLINE TESTIMONY SUBMITTAL  
Senate Committee on Judiciary and Labor  
Hearing on February 26, 2015 @ 9:00  
Conference Room #016

**DATE:** February 24, 2015

**TO:** Senate Committee on Judiciary and Labor  
Senator, Gilbert Keith-Agaran, Chair  
Senator, Maile Shimabukuro, Vice Chair

**FROM:** James R. "Duke" Aiona, Jr. Interim President & CEO

**RE:** Opposition to SB 666, SB 708, and SB 879 Relating to Marijuana

My name is James R. "Duke" Aiona, Jr., and I have been an attorney in Honolulu since 1981. I have also served the people of Hawaii as a Family and Circuit Court Judge of the First Circuit (1990 to 1998), and I also served as the first Administrative Judge of the Hawaii Drug Court Program (1994-1997). Currently I am the interim president of Hawaii Family Advocates, a 501(c)(4) independent expenditure, non-candidate organization. I strongly oppose this bill.

Decriminalization and legalization of marijuana is the wrong social policy for the people of Hawaii. It's social implications in regards to the structure and function of the family unit, business environment, juvenile delinquency, brain development and other health related consequences outweigh any benefits to its decriminalization or legalization.

The policy supporting this bill is based upon the waste of time and money in enforcing marijuana possession statutes and its ineffective deterrence to marijuana users. There is no policy statement in regards to the social and health effects mentioned in the preceding paragraph, despite the fact that this bill would amend the Department of Education's Chapter 91 rules relating to the reporting of marijuana possession by students to the appropriate authorities.

As proposed in this bill teachers, school officials, or employees of the department of education would not be required to report that a student, whom they know or has reason to believe, is in possession of less than one ounce of marijuana to the police, parents, or other appropriate authorities. In short, this proposed bill would establish a policy that it is ok for our children to possess up to fifty marijuana joints!

There are numerous medical studies and reports relating to the effect that marijuana use has on our children. I do not know of one medical report or pediatrician, which would state that marijuana use by our children is not detrimental to their health and development, and therefore, should be condoned and approved in **any** fashion.

P.O. Box 2757 • Honolulu, HI 96803 • Phone: 808-429-4872

E-mail: [info@hffaction.org](mailto:info@hffaction.org) | Website: [www.hffaction.org](http://www.hffaction.org)

# HAWAII FAMILY ADVOCATES

A 501(C) (4) organization associated with Hawaii Family Forum

We know for a fact that here in Hawaii marijuana is one of the top two drugs of choice by our children. We also know that use of marijuana has a profound effect on the development of our children's brain. Marijuana use has been associated with verbal learning disadvantages, attention problems, short-term memory loss, difficulty with problem-solving and trouble exercising inhibition. In addition, research has established that children who start using marijuana before the age of 18 experience a significant drop in their IQ score that persisted decades later.

With all of this undisputed research and information why would the people of Hawaii be in favor of a bill that does not require school personnel to report any possession of marijuana to the their parents and appropriate authorities, unless the proponents of this bill want to establish a policy and law which states that possessing and using marijuana is alright and legal.

Although this bill also notes that the legislature does not intend to imply that such possession is acceptable, based on the absence of any discussion relating to the social and health implications of marijuana, there is no question that the ultimate objective of this bill is to legalize the use of marijuana. In short, this bill is the slippery slope that must be avoided.

This bill's policy statement relating to the cost and ineffectiveness of marijuana possession laws amounts to a straw argument. Following this logic the same could be said about many other criminal laws. What is the deterrent effect of our property laws, our drinking and driving laws, our theft laws, and to a certain extent our murder laws?

It appears that the supporters of this bill are indirectly stating that the illegality of marijuana, like the prohibition of alcohol, needs to follow the same path. If that occurs, than we already know what the social, health, and economic costs of the legalization of marijuana would be because history would be repeating itself. However, the biggest cost to the people of Hawaii would be that we failed to learn the lessons of this history.

Mahalo for the opportunity to submit this testimony.



HAWAII SUBSTANCE ABUSE COALITION

## **SB879 RELATING TO MARIJUANA**

COMMITTEE ON JUDICIARY AND LABOR: Representative Gilbert Keith-Agaran, Chair;  
Representative Maile Shimabukuro, Vice Chair

- Thursday, February 26, 2015 at 9:00 a.m.
- Conference Room 016

## **HSAC Supports SB879 with Recommendations:**

*Good Morning Chair Keith-Agaran; Vice Chair Shimabukuro; And Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, an organization of more than thirty treatment and prevention agencies across the State.*

**The Hawaii Substance Abuse Coalition provides these recommendations for decriminalizing marijuana.**

**HSAC recommends the following dispositions for Marijuana Use/Possession for a small amount:**

- Civil offense subject to a mandatory health screening and marijuana-education program.
- Referrals to treatment and/or social-support services of needed per the screening results.
- For multiple offenses: monitored for 6-12 months in a probation program designed to prevent further drug use.
- There is an expungement of any personal record regarding possession of small amounts of marijuana.

### **Added Infractions:**

- No marijuana use in any form is permitted in public view.
- Smoke-free laws apply to marijuana and tobacco.

**For Production, Distribution, Dealing and Sale of Marijuana, HSAC a recommends:**

- For small amounts- misdemeanors
- For large amounts - option to be prosecuted as a felony.
- End all mandatory minimum sentences for any marijuana felonies so judges can exercise discretion under the law.
- Assessment and mandatory treatment for those who are addicted. Such appropriate treatment services to be followed by aftercare and provided by service providers licensed by the state or similar programs for re-entry into the community. For marijuana convictions involving addiction, treatment is recommended according to the research from the Justice Reinvestment Initiative.

- Restoration of all civil rights once sentences have been served for a personal use marijuana conviction.

**For marijuana and Driving, HSAC makes recommendations to keep Hawaii's roadways safe:**

- Misdemeanor for driving with any amount of marijuana in one's system.
- Repeat offenses need increasing consequences.
- Mandatory health assessment, marijuana-education program and referral to treatment or social services if warranted by the assessment.

**HSAC recommends funding for prevention to address:**

- Research shows that crucial periods of risk for drug use and abuse occur during key life transitions, such as moving from elementary school to middle school and from middle school to high school. One of the most salient risks for youth drug use is associating with drug-abusing peers. Other important community-level risk factors for drug initiation are access to, and availability of, drugs; drug-trafficking patterns and normative beliefs that drug use is “generally tolerated.”
- Softening attitudes are problematic because research demonstrates that illegal drug use among youth lowers their perception of risk (whether one thinks a drug is dangerous) and social disapproval of use. Several journal articles have substantiated the powerful association between perceived risk and use that cannot be explained away by concurrent shifts in a number of other lifestyle factors. Perceived risk remains a powerful predictor of use, even when controlling for a host of other known risk factors (Bachman et al., 1988; Bachman, Johnston, & O'Malley, 1990 & 1998).
- Marijuana-prevention efforts are critical because marijuana is often the first illegal drug youth use. Preventing substance use before it begins not only makes sense, it is also cost-effective. For every dollar invested in prevention, a savings of up to \$10 in treatment can be realized.
- Generalized universal prevention programs to help build strong families and provide youth with the skills to make good, healthy decisions are necessary components of effective drug prevention. Drug prevention efforts also need to focus specifically on community risk and protective factors explicitly related to the initiation and use of illegal drugs. These include social norms, access, availability and perceptions of harm. For example, critical policy and environmental interventions (e.g. policies outlawing marijuana storefronts or limiting the sale of drug paraphernalia) are unique to substance abuse prevention and may not be as relevant to other forms of prevention, such as bullying and violence.
- Prevention science in the field of substance abuse has made great progress in recent years, resulting in effective intervention to help children reduce the risk of initiating drug use at every step of the developmental path. Working more broadly with families, schools and communities, scientists have found effective ways to help people gain skills and approaches to stop problem behaviors — such as drug use — before they occur. These are called community-based approaches.

- Even if community-based approaches have shown their effectiveness, it is also important to mention that other specific interventions, such as family-based approaches, life-skills building and behavior-skills-enhancement games have also proven to be effective.

**HSAC recommends an increase for funding for Brief Interventions and Treatment:**

- Because it is established that 1 in 11 marijuana users will become dependent (the rate rises to 1 in 6 adolescents who use under age 18), and that marijuana addiction produces a withdrawal syndrome, evidence-based marijuana treatment plays a vital role in any discussion of marijuana.
- For those who have not progressed to full marijuana addiction, screening, brief interventions and referral to treatment may be appropriate by general primary care physicians or counselors to identify at-risk people. Brief interventions may range from one meeting for educational consultation to 12 sessions of substance-use intervention. If necessary, there are referrals to treatment for specialized services, case management and follow-up support in the community.
- A major method to treat marijuana addiction is through cognitive-behavioral therapy (CBT). Cognitive-behavioral therapy comprises a combination of approaches meant to increase self-control.
- Motivational approaches, such as motivational interviewing, are best used to produce rapid, internally motivated change. These brief interventions focus on a non-confrontational therapeutic alliance to facilitate a patient's willingness to change.

We appreciate the opportunity to testify and are available for questions.

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Angela Breene	Waihuena Farm	Comments Only	No

Comments: SB879 is ineffective and poorly written. We support SB666 as the best Decriminalization Bill this session. SB879 does not remove criminal penalties in the statute or provide any protections for people found to be in possession of marijuana. Defer this bill and support SB666 instead. Mahalo

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Feb 26, 2015 9:00a

Committee on Judiciary and Labor

Re: Bill #SB879

Hawaii State Capitol

415 S. Beretania Street

Honolulu, Hawaii 96813

Subject: Testimony in Opposition of only civil penalties for the possession of Marijuana under 1oz.

To the Committee on Judiciary and Labor,

I am writing in opposition to the proposed Civil penalties for possession of Marijuana under 1 oz. Although I support the use of medical marijuana (taken orally instead of smoked) I am firmly against recreational marijuana. I believe that any lessening of the penalties against recreational marijuana use will only promote recreational use.

The physical consequences of marijuana use, especially for children teens and adults under the age of 21 should in itself be reason enough to make harsher consequences. As we all know that marijuana use can prohibit brain development in children, teens, and adults under 21.

I also believe that it is ridiculous to lessen penalties for the selling of marijuana just because they are caught selling less than 1 oz. Basically you are telling people that it is okay to sell recreational marijuana as long as you only carry less than 1oz with you at a time.

It is also alarming to see that it is being suggested that when Teenagers are caught with less than 1 oz at school it no longer needs to be reported. It is a medical fact that marijuana use before the brain is fully developed (typically age 21) will prohibit the brain from developing fully. How could you just turn your head the other way on this???

I know of people whose use of marijuana has dulled their critical thinking skills and lessened their sense of ambitiousness and responsibility. I believe that marijuana does have some medical purposes but as with all medical drugs, it also has side effects that are not worth the trade just for recreational use. Again, I feel that lessening the consequences will only promote its use and am strongly opposed to civil penalties for Marijuana possession under 1 oz.

Sincerely,  
Angela Woods  
Pahoa, HI



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**Date:** Tuesday, February 24, 2015 4:49:34 PM

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**SB879**

Submitted on: 2/24/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brent Neal	Individual	Support	No

Comments: I support SB 879. To have civil penalties associated with the possession of 1 ounce or less of cannabis is better than criminal penalties. This is a move in the right direction and will hopefully reduce some of the burden on the judicial system.

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**SB879**

Submitted on: 2/24/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brittany Neal	Individual	Support	No

Comments: I support SB 879. To have civil penalties associated with the possession of 1 ounce or less of cannabis is better than criminal penalties. This is a move in the right direction and will hopefully reduce some of the burden on the judicial system.

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Susott, MD, MPH	Individual	Comments Only	No

Comments: Not as good as the other 2 decrim bills.

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Bateman	Individual	Oppose	No

Comments: Chair Keith-Agaran and Members: I STONGLY OPPOSE SB 879. SB 879 would decriminalize possession of less than 1 oz of marijuana to a civil offense. While on the face of the proposed bill it would seem intuitive to decriminalize possession of a small amount of this drug to save law enforcement dollars and to increase tax revenues to the state, this bill should not be about dollars. Rather it should be about lives, careers and most importantly, our keiki. It is established in many scientific and medical journal articles that regular use of marijuana does lead in many cases to use of other drugs and many social issues. It is proven that marijuana is a gateway drug to other debilitating drugs. Employment can be jeopardized if a user shows up to work stoned. Jobs and careers can be ruined. Driving under the influence of marijuana will lead to more auto accidents, injuries and deaths. But, most importantly, unsupervised adult use can result in intended or unintended access to our keiki. It is established that use by minors can affect brain growth, cognitive abilities and create learning problems. It has been noted that in states that have legalized marijuana, there is a much higher incident of MVA's with youth. Bottom line, this bill is bad legislation that appears to be based on fiscal/financial results with little concern about the social consequences. Again, I STRONGLY OPPOSE SB 879 and ask that it be tabled in committee. Thank you for considering my remarks Dave Bateman

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine Kaanapu	Individual	Oppose	No

Comments: Feb 26, 2015 9:00a Committee on Judiciary and Labor Re: Bill #SB666, 708, 879 Hawaii State Capitol 415 S. Beretania Street Honolulu, Hawaii 96813  
Subject: Testimony in Opposition of only civil penalties for the possession of Marijuana under 1oz. To the Committee on Judiciary and Labor, I am writing in opposition to the proposed Civil penalties for possession of Marijuana under 1 oz. Although I support the use of medical marijuana (taken orally instead of smoked) I am firmly against recreational marijuana. I believe that any lessening of the penalties against recreational marijuana use will only promote recreational use. The physical consequences of marijuana use, especially for children teens and adults under the age of 21 should in itself be reason enough to make harsher consequences. As we all know that marijuana use can prohibit brain development in children, teens, and adults under 21. I also believe that it is ridiculous to lessen penalties for the selling of marijuana just because they are caught selling less than 1 oz. Basically you are telling people that it is okay to sell recreational marijuana as long as you only carry less than 1oz with you at a time. It is also alarming to see that it is being suggested that when Teenagers are caught with less than 1 oz at school it no longer needs to be reported. It is a medical fact that marijuana use before the brain is fully developed (typically age 21) will prohibit the brain from developing fully. How could you just turn your head the other way on this???? I know of people whose use of marijuana has dulled their critical thinking skills and lessened their sense of ambitiousness and responsibility. I believe that marijuana does have some medical purposes but as with all medical drugs, it also has side effects that are not worth the trade just for recreational use. Again, I feel that lessening the consequences will only promote its use and am strongly opposed to civil penalties for Marijuana possession under 1 oz. Not to mention, to have users driving incoherently affecting others on the roadways and how offensively will change our driver licensing laws. I can't imagine for commercial truck drivers and the like could get by with this when the law already states is illegal. Need we say more? Sincerely, Elaine Kaanapu Hilo, HI 96720

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**SB879**

Submitted on: 2/24/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Georgina Mckinley	Individual	Oppose	No

Comments: This bill is not an effective approach to decriminalization, because while it does create a civil offense for possession of marijuana, it does not remove the criminal penalties in place in the statute, or provide any protections whatsoever for people found to be in possession of marijuana. For these reasons, I support SB666.

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kari Benes	Individual	Oppose	No

Comments:

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**SB879**

Submitted on: 2/23/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karin Nomura	Individual	Support	No

Comments: I support any penalty or fine against marijuana users. (As the second hand smoke/smell from users is enough to make me feel as if I was on drugs - and there are a lot of people who use. And while there are states that have made it legal, I hope we don't follow suit. There have already been news reports of users in those states who have forgotten their baby's in cars, children having access to cookies/candies,etc.)

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**SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM 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:

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Date: Wednesday, February 25, 2015 9:16:00 AM

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## **SB879**

Submitted on: 2/25/2015

Testimony for JDL on Feb 26, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Martina Kapololu	non-profit	Oppose	No

Comments: Committee on Judiciary and Labor Re: Bill #SB666, 708, 879 Hawaii State Capitol 415 S. Beretania Street Honolulu, Hawaii 96813 Subject: Testimony in Opposition of only civil penalties for the possession of Marijuana under 1oz. To the Committee on Judiciary and Labor, I am opposed to the proposed Bills listed above. Use of Marijuana for medical purposes may have some benefit, but should be administered by licensed medical doctors and pharmacist as other prescribed drugs. Research on recreational Marijuana is clear on the impact that this drug has on the body. Here is a refresher: 1. THC, the active ingredient that produces that feeling of being high, affects almost every organ in your body, nervous system and immune system. 2. Smoking it can increase double your heart rate for up to three hours. Each person responds differently. 3. It can increase bleeding, lower blood pressure and lower blood sugar, which increases appetite. You may think this is good, but it has never lead to healthier lifestyles or increased fitness to the point of being healthy. 4. It also can cause dizziness, shallow breathing, red eyes, dilated pupils, dry mouth, slower reaction time, dull senses, and sleepiness. 5. Recreational use often leads to life-time users which can result in physical withdrawal from social settings, irritability, and less appetite. Decreasing the criminal status of this drug because quantities will be limited to 1 oz. will only make this more attractive to children, teens and youth. As a retired school administrator, I can predict a reduction in the criminal offense will impact school campuses with an increase in student use of this drug and decrease in student achievement. Schools will be spending more time "policing" and disciplining student populations because the law has made it legal. Let us learn from other states that have legalized Marijuana. Look at their issues, particularly how impacts teens and youth. We should be courageous and bold and take a stand against this proposal because it is right and not be impacted by popularity. It seems that our Constitution was written to protect the rights of the innocent, too. Our children, teens and young adults need an advocate to protect their rights as guaranteed by this, Our Constitution of the United States.

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.

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