

**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

S.B. NO. 758, RELATING TO MARIJUANA.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Tuesday, March 2, 2021

TIME: 9:35 a.m.

LOCATION: State Capitol, Via Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Michelle M.L. Puu,
Deputy Attorney General, at 586-1160)

Chair Rhoads and Members of the Committee:

The Department of the Attorney General (Department) submits testimony in opposition to this bill based on the Attorney General's role as the Chief Law Enforcement Officer for the State of Hawaii.

The purposes of this bill are to (1) require the expungement of convictions for the possession of up to one ounce of marijuana and (2) decriminalize the possession of up to one ounce of marijuana. As the bill does not impact the limited use of marijuana for medical purposes, this testimony does not address or pertain to that issue.

Essentially, this bill seeks to decriminalize the possession of marijuana. Studies show that the average weight of a single use quantity of marijuana ranges from 0.43 grams to 0.66 grams. One ounce of marijuana equals 28.3495 grams.

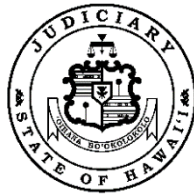
The Department opposes this measure because the possession of marijuana remains illegal under federal law as a Schedule I controlled substance under the Controlled Substances Act, 21 U.S.C. §§ 801-904. Although this bill could legalize conduct prohibited under state law, federal laws regarding the nonmedical use of marijuana continue to apply to the conduct of persons in the state.

Importantly, the United States Department of Justice (DOJ) issued a memorandum withdrawing earlier directives and instructed prosecutors to enforce federal laws related to marijuana activities (Sessions Memo dated January 4, 2018).

Although the Blumenauer amendment to the continuing resolution extending the appropriations act restricts funding for federal law enforcement actions by the DOJ, this limitation applies only to the medical use of cannabis. The Blumenauer amendment first became law in 2014, was renewed for the sixth time on December 27, 2020 and accordingly will remain in effect through September 30, 2021.

Unless and until the federal government changes its laws regarding marijuana, the State should not enact laws that create conflict and confusion.

We respectfully request that this measure be held.



The Judiciary, State of Hawai'i

Testimony to the Thirty-First Legislature, 2021 Regular Session

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Tuesday, March 2, 2021, 9:35 a.m.
Via Videoconference

WRITTEN TESTIMONY ONLY

By:

Mark M. Santoki
Acting Deputy Chief Court Administrator
First Circuit

Bill No. and Title: Senate Bill No. 758, Relating to Marijuana.

Purpose: Increases from 3 grams to 1 ounce: (1) the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and (2) the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the subsequent expungement of the record of that conviction.

Judiciary's Position:

The Judiciary takes NO POSITION on this measure, providing the following comments.

The Judiciary would like to request a technical amendment to this measure to replace the term "expungement" with "seal." This terminology better conforms to the Judiciary process. Sealing a court record ensures that all information regarding the defendant's case is not viewable to the public, but remains as part of the internal court record keeping system. This ensures accountability and transparency because the request to seal the record and the processing of such a request are documented and can be reviewed internally if necessary.

Thank you for the opportunity to testify on this measure.



SB758
RELATING TO MARIJUANA
Ke Kōmike ‘Aha Kenekoa o ka Ho‘okolokolo
Senate Committee on Judiciary

Malaki 2, 2021

9:35 a.m.

Hālāwai Keleka‘a‘ike

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB758, which increases the minimum amount of marijuana a person must possess in order to be criminally liable for promoting a detrimental drug, and the maximum amount a person may be convicted of possessing in order to qualify for expungement. **By reducing the criminal justice resources – including those relating to lengthy prison sentences – that would otherwise be needed to punish low-level, non-violent drug offenses, this measure could save the State substantial taxpayer dollars, and mitigate the disproportionate impacts of the criminal justice system on Native Hawaiians.**

The War on Drugs and decades of a traditional, Western criminal justice approach have led to the highest prison population in Hawai‘i’s history. Alarming, between 1977 and 2016, the number of people incarcerated in Hawai‘i has increased by 670%.¹ The Native Hawaiian community has been particularly impacted by this increase, making up nearly 37% of our prison population today.² Drug criminalization policies may have contributed significantly to this latter impact: in its 2010 report on the disparate treatment of Native Hawaiians in the criminal justice system, OHA identified drug-related offenses as a critical source of Native Hawaiians’ uniquely and acutely disproportionate conviction rates and lengths of imprisonment.³

In light of the disproportionate impacts of the criminal justice system on the Native Hawaiian community, OHA has long advocated for reform approaches that examine and implement incarceration alternatives that can improve public safety, effectively rehabilitate pa‘ahao, reduce recidivism, and save taxpayer dollars. OHA accordingly believes that the proposed reduction of criminal liability for the mere possession of very small amounts of certain “detrimental drugs,” from a misdemeanor punishable by a year in prison, to a petty misdemeanor that could be dispensed with diversion, probation, or a jail sentence of up to 30 days, is a step in the right direction. **This measure will reduce prison overcrowding, save state resources, and mitigate the life-long harms that otherwise result from these non-violent and relatively harmless acts, including the harms particularly felt by Native Hawaiians, their families, and communities.**

¹ BUREAU OF JUSTICE STATISTICS, COUNT OF TOTAL JURISDICTION POPULATION (2018), *generated using the Corrections Statistical Analysis Tool (CSAT) – Prisoners* at www.bjs.gov.

² Department of Public Safety, System Wide End of Month Data, July 2018. In contrast, Native Hawaiians only represent 18% of adults in Hawai‘i. U.S. CENSUS BUREAU. 2017. “COMMUNITY FACTS”, AMERICAN FACT FINDER, accessed Dec. 21, 2018 at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.

³ THE OFFICE OF HAWAIIAN AFFAIRS, THE DISPARATE TREATMENT OF NATIVE HAWAIIANS IN THE CRIMINAL JUSTICE SYSTEM 45 (2010), available at http://www.oha.org/wp-content/uploads/2014/12/ir_final_web_rev.pdf.

Therefore, OHA urges the Committee to **PASS** SB758. Mahalo nui for the opportunity to testify on this measure.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515

STEVEN S. ALM
PROSECUTING ATTORNEY



THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY

THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY
Thirty-first State Legislature
Regular Session of 2021
State of Hawai`i

March 2, 2021

RE: S.B. 758, RELATING TO MARIJUANA.

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney of the City and County of Honolulu (“Department”) submits the following testimony in **opposition** to S.B. 758.

This measure would increase the maximum amount of marijuana allowed to be possessed under section 712-1249, Hawaii Revised Statutes (“H.R.S.”) from three grams or less to one ounce or less. Pursuant to Act 273 Session Laws of Hawaii 2019, possession of marijuana of three grams or less has been decriminalized and is punishable only as a violation.

As part of Act 273 (2019) the Legislature created the Marijuana Evaluation Task Force to examine other state’s laws, penalties, and outcomes pertaining to marijuana use, and to make recommendations on amending marijuana use penalties and outcomes in the state. The task force was comprised of numerous stakeholders including but not limited to, a member from the House and Senate, Department of the Attorney General, a Prosecuting Attorney selected by the co-chairs of the task force and the Public Defender’s Office. Per Act 273, the task force was to submit a report of its findings and recommendations, including any proposed legislation no later than twenty days prior to the convening of the Regular Session of 2020. Due to the disruptions caused by the COVID-19 pandemic, the task force was not able to complete the reports and S.B. 1010 was introduced during the current 2021 legislative session to extend the time to report and dissolution of the task force. Due to the unintended delay of the task force’s report, the Department believes that implementation of S.B. 758 is premature and should be addressed by the task force.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu **opposes** S.B. 758. Thank you for the opportunity to testify on this matter.

SB-758

Submitted on: 2/26/2021 7:57:26 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Testifying for Maui Police Department	Oppose	No

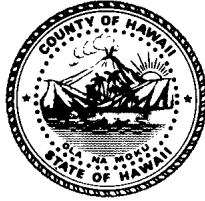
Comments:

Strongly oppose!

One ounce of Marijuana is a large amount to possess. If fact what this measure proposes is to legalize marijuana.

In addition, we are trying to protect our keiki from smoking tobacco, vaping and related second hand smoke. But when our government support this kind of irresponsible measure, our Legislature promotes just the opposite.

Mitchell D. Roth
Mayor



Paul K. Ferreira
Police Chief

Kenneth Bugado, Jr.
Deputy Police Chief

County of Hawai`i

March 1, 2021

POLICE DEPARTMENT

349 Kapi`olani Street • Hilo, Hawai`i 96720-3998
(808) 935-3311 • Fax (808) 961-8865

Senator Karl Rhoads
Chairperson and Committee Members
Committee on Judiciary
415 South Beretania Street
Honolulu, Hawai`i 96813

RE : SENATE BILL 758, RELATING TO MARIJUANA
HEARING DATE : MARCH 2, 2021
TIME : 9:35 A.M.

Dear Senator Rhoads:

The Hawai`i Police Department **strongly opposes** Senate Bill 758, Relating to Marijuana, that seeks to increase from 3 grams to 1 ounce: (1) the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and (2) the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the expungement of the record of that conviction.

During recent years, as a result of concerns from the public, narcotic investigations have led to the arrests of street-level marijuana distributors who were selling pre-packaged marijuana and/or pre-rolled marijuana cigarettes. These investigations were conducted in “tourist-heavy” areas. On several occasions, the amount of marijuana recovered from the arrestees was just below 1 ounce. Increasing the threshold from 3 grams to 1 ounce will allow these street dealers to walk around with up to an ounce of marijuana to sell and face a violation.

In 2019, as part of Act 273, an Evaluation Task Force was created to “examine other states’ laws, penalties, and outcomes pertaining to marijuana use, other than marijuana use for medical purposes, and make recommendations on amending marijuana use penalties and outcomes in the State”.

The Marijuana Evaluation Task force did not submit a report of its findings and recommendations twenty days before the convening of the 2021 regular session.

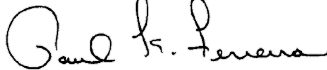
It is imperative that information be obtained from other states that have decriminalized or legalized marijuana. The reports should include, but not be limited to; the psychological effects of marijuana users, youth hospitalizations through intentional or unintentional ingestion, calls to poison control and death rates.

Senator Karl Rhoads
RE : SENATE BILL 758, RELATING TO MARIJUANA
March 1, 2021

Senate Bill No. 758 should not be considered for approval until such time that the Marijuana Evaluation Task Force is able to submit a complete report of its findings and recommendations.

It is for these reasons that we urge this committee to **oppose** this legislation. Thank you for allowing the Hawai'i Police Department to provide comments relating to Senate Bill 758.

Sincerely,

A handwritten signature in black ink that reads "Paul K. Ferreira". The signature is written in a cursive style with a large initial "P" and "F".

PAUL K. FERREIRA
POLICE CHIEF

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

RICK BLANGIARDI
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
AARON TAKASAKI-YOUNG
DEPUTY CHIEFS

OUR REFERENCE

PJ-GK

March 2, 2021

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 758, Relating to Marijuana

I am Major Phillip Johnson of the Narcotics/Vice Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 758, Relating to Marijuana.

This bill, in part, seeks to de facto legalize marijuana by removing from the Hawaii Revised Statutes existing criminal prohibitions and penalties related to marijuana.

The passage of this bill would create an increased availability of marijuana, making it more accessible, especially to juveniles. The HPD is concerned that increasing the availability of marijuana in the state will have a negative impact on public safety. Some areas of concern include the likelihood of an increased number of impaired drivers and the diversion of the product.

The HPD urges you to oppose Senate Bill No. 758, Relating to Marijuana, and thanks you for the opportunity to testify.

APPROVED:

Handwritten signature of Susan Ballard in black ink.

Susan Ballard
Chief of Police

Sincerely,

Handwritten signature of Phillip Johnson in black ink.

Phillip Johnson, Major
Narcotics/Vice Division

SB-758

Submitted on: 2/25/2021 6:31:13 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	No

Comments:

Our organization definitely supports SB758. Changing the laws concerning marijuana need to be changed. This is one step. Please pass SB758. Thank you.

Mike Golojuch, Sr.

Secretary, Rainbow Family 808

SB-758

Submitted on: 2/27/2021 10:27:27 AM

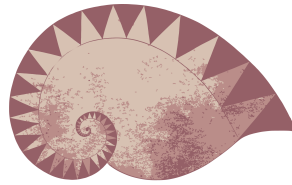
Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support SB758

www.WeAreOne.cc



Pono Hawai'i Initiative

Patrick Shea - Treasurer • Lena Mochimaru - Secretary
Nelson Ho • Summer Starr

Monday, March 2, 2021

Relating to Marijuana
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports SB758 Relating to Marijuana. This measure increases the threshold for decriminalization, increasing the amount of marijuana an individual can have on their person from 3 grams to 1 ounce.**

The current threshold of 3 grams is far too low to be meaningful. There are lasting negative consequences for even a petty misdemeanor conviction, impacts that can inhibit a person from obtaining housing, education, and employment. The penalties are far too heavy for the perceived crime. The rest of the nation is moving toward legalized and regulated adult use. We should not continue to penalize responsible adult use.

For these reasons we urge the Committee to vote in favor of SB758.

Mahalo for the opportunity to testify,

Gary Hooser
Executive Director
Pono Hawai'i Initiative



Young Progressives Demanding Action
P.O. Box 11105
Honolulu, HI 96828

February 28, 2021

TO: SENATE COMMITTEE ON THE JUDICIARY
RE: Testimony in Support of SB758

Dear Senators,

Young Progressives Demanding Action (YPDA) stands in **strong support of SB758**, which would partially decriminalize possession of cannabis by increasing the threshold at which a person could be charged with the crime of possession (as well as the threshold at which a previously convicted person can have their record expunged).

Over the past 50 years since Richard Nixon declared the “War on Drugs,” the United States has fought a losing campaign to end domestic drug use. The series of often racist policies has:

- Cost us more than \$1 trillion in taxpayer money;
- Resulted in over 40 million arrests;
- Consumed law enforcement resources;
- Been a key contributor to jaw-dropping rates of incarceration;
- Damaged countless lives; and
- Had a disproportionately devastating impact on communities of color.

At a time when Hawai‘i’s own mass incarceration problem is so severe that over-crowding in our jails and prisons has become a legal liability, we should be looking toward strategies such as decriminalization of nonviolent behaviors like cannabis use, rather than considering costly new incarceration facilities.

The misguided “War on Drugs” has resulted in dramatic increases in the length of prison sentences, a 53 percent increase in drug arrests, a 188 percent increase in the number of people arrested for marijuana offenses, and a [52 percent increase in the number of people in state prisons](#) for drug offenses, between 1990 and 2010.

Indeed, the United States now has an unprecedented and unparalleled incarceration rate: while it accounts for 5 percent of the world's population, it has [25 percent of the world's prison population](#). At no other point in U.S. history—even when slavery was legal—have so many people been deprived of their liberty.

Despite the fact that many police departments have made aggressive enforcement of marijuana laws an increasing priority and states have spent billions of dollars on such enforcement, these efforts have utterly [failed to diminish marijuana's use or availability](#). In 2002, there were 14.5 million people aged 12 or older (6.2 percent of the total population) who used marijuana in a given month; by 2011, that number [had increased](#) to 18.1 million (7 percent of the total population).

Prohibition [has directly resulted in mass incarceration and over-policing](#). More than [20,000 people](#) were incarcerated for marijuana possession in 2010. Between 2001 and 2010, there were 8,244,943 marijuana arrests, of which 88 percent, were for possession. In 2010 alone, there were 889,133 marijuana arrests—300,000 more than arrests for all violent crimes combined—or one bust every 37 seconds. Marijuana arrests have increased between 2001 and 2010 and now account for 52 percent of all drug arrests in the United States.

Prohibition also [exacerbates institutional racism within the prison system](#). On average, a Black person is 3.73 times more likely to be arrested for marijuana possession than a white person, even though Blacks and whites use marijuana at similar rates—a disparity that [increased 32.7 percent](#) between 2001 and 2010. Such racial disparities in marijuana possession arrests exist in every part of the country, in counties large and small, urban and rural, wealthy and poor, and with large and small Black populations.

These numbers are [similarly reflected in Hawai'i](#) for Native Hawaiians and Pacific Islanders when compared to other ethnic groups. Decriminalization is the smartest and surest way to end targeted enforcement of marijuana laws within communities of color.

Decriminalization would:

- Eliminate the unfair race- and community-targeted enforcement of marijuana criminal laws;
- Help reduce over-incarceration in our jails and prisons;
- Curtail infringement upon constitutional rights, most notably as guaranteed by the Fourth Amendment's proscription of unreasonable searches and seizures; and
- Allow law enforcement to focus on serious crime.

Overcrowding in our jails and prisons is a real problem. But it's a problem that was born of deliberate policy choices that have created a costly and inhuman system of mass incarceration, fueled by the racist "War on Drugs."

We have an opportunity to pivot away from mass incarceration, from racist policies and from costly and misguided attempts to police nonviolent behavior. Please support this bill.

Mahalo for the opportunity to testify,

Will Caron

Board President & Secretary

action@ypdahawaii.org

SB-758

Submitted on: 2/28/2021 3:08:24 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Testifying for PATIENTS WITHOUT TIME	Support	No

Comments:

Aloha Senators,

PATIENTS WITHOUT TIME has been asking the Hawaii Legislature to legalize cannabis for almost 2 decades, however, the possession of 1.1 ounce in Hawaii is still punishable by 1 year in jail and a \$2,000 fine.

This is grossly prejudice against cannabis consumers and ridiculous considering that "illegal" cannabis is now the largest selling agricultural crop in Hawaii, and vital to the Hawaiian economy!

Please, at least, support this bill, SB758, which is another baby-step in the right direction.

Mahalo,

Brian Murphy, Director

PATIENTS WITHOUT TIME



SB 758, RELATING TO MARIJUANA

MARCH 2, 2021 · SENATE JUDICIARY COMMITTEE ·
CHAIR SEN. KARL RHOADS

POSITION: Support.

RATIONALE: Imua Alliance supports SB 758, relating to marijuana, which increases from 3 grams to 1 ounce: (1) the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and (2) the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the subsequent expungement of the record of that conviction.

It is high time that Hawai'i stopped criminalizing people for smoking small amounts of a plant. While marijuana remains illegal under federal law, where it is classified as a Schedule I substance, the facts about cannabis consumption are clear. 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 Hawai'i 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. Rather, reports supposedly linking marijuana to violent crimes typically rely on information gathered by the Office of National Drug Control

Policy, which, in turn, relies on source material that a) does not account for drug-trafficking and dispositional or psychological disorders; and b) fails 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 intimate partner abuse, yet, again, no one is introducing, much less considering the merits of, limiting the personal consumption of alcohol. Additionally, 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, 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, in and of itself, why, once more, do we unduly criminalize cannabis consumption, particularly in small amounts?

Furthermore, decriminalizing—or, even better, legalizing—marijuana possession is an issue of restorative justice. As the visitor industry reaps record profits and supports expansion of the local prison-industrial complex, people of Native Hawaiian ancestry, who comprise approximately 25 percent of the state's population, suffer the pangs of a biased criminal (in)justice system. Approximately 39 percent of incarcerated detainees are Hawaiian, according to a comprehensive study by the Office of Hawaiian Affairs, with the proportionality gap being even greater for Hawaiian women, who comprise 19.8 percent of the state's female population, but 44 percent of the state's female inmate population. Researchers also found that, on average, Hawaiians receive longer sentences, more parole revocations, and, importantly for this measure, **harsher drug-related punishments than other ethnic groups**, including for marijuana possession. Therefore, passage this measure is a step toward reforming and preventing more people from becoming victims of our unjust and racially coded prison system.

That said, **we would prefer that recreational cannabis be legalized, regulated, and taxed which could generate at least \$70-\$100 million in tax revenue annually for our state**, along with criminal justice savings, that could be spent delivering a quality education to our keiki, building basic infrastructure, expanding access to healthcare, constructing truly affordable housing, and more. In our path toward prosperity and justice reform, legalizing cannabis is a step we must take.

Kris Coffield · Executive Director, Imua Alliance · (808) 679-7454 · kris@imuaalliance.org



AMERICANS FOR DEMOCRATIC ACTION

OFFICERS	DIRECTORS		MAILING ADDRESS	
John Bickel, President	Melodie Aduja	John Miller	Bill South	P.O. Box 23404
Alan Burdick, Vice President	Juliet Begley	Jenny Nomura	Zahava Zaidoff	Honolulu
Dave Nagajji, Treasurer	Stephanie Fitzpatrick	Stephen O'Harrow		Hawaii 96823
Doug Pyle, Secretary	Jan Lubin	Lyn Pyle		

February 28, 2021

TO: Chairs Rhoads & Dela Cruz and members of JDC/WAM Committees

RE: SB 758 Relating to Marijuana

Support for hearing on March 2

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 758 as it would increase from three grams to one ounce: the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the subsequent expungement of the record of that conviction. While we recognize there are health problems with marijuana, we don't think our court system should take up time and other resources to prosecute individuals privately possessing under an ounce. We don't think minor possession should be allowed to be a major harm to a resume.

Thank you for your favorable consideration.

Sincerely,
John Bickel, President



SB-758

Submitted on: 2/27/2021 10:32:26 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Alfrey	Individual	Oppose	No

Comments:

I do NOT approve of legalization of marijuana. Never have. Never will. There may be a place medicinally, but NOT RECREATIONALLY.... the USA including Hawaii has too many criminals and bad habits that promote criminal activity and much of th crime is related to drugs. No one needs drug enhanced recreation. That's NOT recreation and you as legislators know better than that.

SB-758

Submitted on: 2/27/2021 10:39:14 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tony Radmilovich	Individual	Support	No

Comments:

It is time long overdue measuere. Please pass it.

SB-758

Submitted on: 2/27/2021 10:43:06 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sunny Savage	Individual	Support	No

Comments:

in support

SB-758

Submitted on: 2/27/2021 10:47:30 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollock	Individual	Support	No

Comments:

I fully support this bill. Science is proving the benefit of this plant and people should not be criminalized for using or possessing it. This is the way the future is going and our present system is criminalizing harmless people!

I would prefer that recreational cannabis be legalized, regulated, and taxed which could generate at least \$70-\$100 million in tax revenue annually for our state, along with criminal justice savings, that could be spent delivering a quality education to our keiki, building basic infrastructure, expanding access to healthcare, constructing truly affordable housing, and more. In our path toward prosperity and justice reform, legalizing cannabis is a step we must take.

Thank you for considering my testimony.

Sherry Pollock, Anahola, HI

SB-758

Submitted on: 2/27/2021 11:14:41 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
LindaPizzitola	Individual	Support	No

Comments:

I support this step in the right direction. Cannabis and those who choose to partake have been demonized and penalized for far too long. Its medical benefits are well documented.

SB-758

Submitted on: 2/27/2021 11:23:27 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ken Stover	Individual	Support	No

Comments:

Hardened criminals and white collar criminals get less time than someone fro 3 grams of a medicinal herb. Not Just.

SB-758

Submitted on: 2/27/2021 11:35:58 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeremy Burns	Individual	Support	No

Comments:

Please support this measure to decriminalize for our community well-being.

SB-758

Submitted on: 2/27/2021 11:48:03 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara L. George	Individual	Support	No

Comments:

SUPPORT

SB-758

Submitted on: 2/27/2021 12:42:26 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Boscole	Individual	Support	No

Comments:

Support. As it appears the majority of society approves Cannabis should be increasingly decriminalized and further legalized as many other states have already done in alignment with similar pending state legislation for local sale & license, with tax revenue benefits as well as similar future federal legislation also pending.

SB-758

Submitted on: 2/27/2021 12:44:31 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Sevy	Individual	Support	No

Comments:

I am in favor of this Bill because it unfairly penalizes the poor and just makes them poorer which is why we have so many problems.

SB-758

Submitted on: 2/27/2021 1:37:07 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Legrande	Individual	Support	No

Comments:

I support this Bill. Thank you.

SB-758

Submitted on: 2/27/2021 2:27:11 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
janice palma-glennie	Individual	Support	No

Comments:

aloha,

Please support this and all bills aimed at decriminalizing marijuana. period.

mahalo and sincerely,

janice palma-glennie

kailua-kona

SB-758

Submitted on: 2/27/2021 3:25:07 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Bishop	Individual	Support	No

Comments:

Aloha

My name is Daniel Bishop and I am in Support of SB758

Mahalo

SB-758

Submitted on: 2/27/2021 3:38:32 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Maltz	Individual	Support	No

Comments:

As long as the person is not under the influence and using the planet medicine responsibly. One ounce is a respectable amount. Education about this plant's value is needed to ensure both law enforcement and the user understand it.

SB-758

Submitted on: 2/27/2021 3:59:23 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jeanne wheeler	Individual	Support	No

Comments:

It seems this could at least reduce courts' overload

SB-758

Submitted on: 2/27/2021 4:26:58 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jane E Arnold	Individual	Support	No

Comments:

Let's face it. Most people who smoke pot are normal citizens, who except for marijuana use, are law-abiding. A person who has a small amount of marijuana for their personal use should not be arrested.

SB-758

Submitted on: 2/27/2021 8:22:34 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Gannon	Individual	Support	No

Comments:

Hi Joan here from West Hawaii supporting SB758. I believe we should decriminalize cannabis.

thank You Joan Gannon

SB-758

Submitted on: 2/27/2021 9:54:44 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Ramos	Individual	Support	No

Comments:

Aloha,

Sometime in the near future, whether it's immediately after this session or in a couple years, legalization is coming. Decriminalization of a personal amount of cannabis is nothing in comparison. Add to that the fact that decriminalization is just the sensible move in terms of drug policy, law enforcement, and subsequently the budget, and it is clear that supporting this bill is a no-brainer.

Thank you,

Dylan Ramos

96816

SB-758

Submitted on: 2/28/2021 12:49:40 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Valkenaar	Individual	Support	No

Comments:

3 grams is such a tiny amount. It is ridiculous for anyone to be charged for possessing something that amounts to a couple joints. One ounce is a much more reasonable limit in which to ticket folks.

SB-758

Submitted on: 2/28/2021 9:50:14 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Guerber	Individual	Support	No

Comments:

Please consider passing this measure to increase the maximum allowable amount of cannabis from 3 grams to 1 ounce for a petty misdemeanor.

The amount of Cannabis that could be considered for personal use should be increased. The current limit as set for medical cannabis is currently 4 ounces, so the increase from 3 grams to 1 ounce for decriminalization seems like a reasonable action. People regularly purchase more than 3 grams from the medical cannabis dispensaries for personal use.

The criminal justice system should not be involved in somebody's life solely for the possession of less than an ounce of cannabis. This could have a detrimental effect on their personal life, job prospects, and many aspects of their life down the road.

Thank you for your consideration,

Justin Guerber

SB-758

Submitted on: 2/28/2021 10:00:33 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rodney Evans	Individual	Support	No

Comments:

Ancient herbal medicine should not be outlawed in order for well funded capaign contributing pharmaceutical companies to build themselves a govt backed monopoly on medicine.

SB-758

Submitted on: 2/28/2021 10:01:31 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Geof Walker	Individual	Support	No

Comments:

Hopefull eventually a majority of you will eventually start using common sense when you consider these measures. If it doesn't pass we are just flushing more \$ down the sewer!! this is a no brainer!! Geoffrey Walker

SB-758

Submitted on: 2/28/2021 10:58:32 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Noelani Ahia	Individual	Support	No

Comments:

I strongly support this bill.

SB-758

Submitted on: 2/28/2021 11:53:05 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Bursack	Individual	Support	No

Comments:

Stop ruining people's lives over small amounts of marijuana.

SB-758

Submitted on: 2/28/2021 12:28:39 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristi Despard	Individual	Support	No

Comments:

I support the decriminalization of cannabis. This increase in quantity would allow people to use it according to their needs without the worry of being penalized.

SB-758

Submitted on: 2/28/2021 12:33:26 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Austin	Individual	Support	No

Comments:

Please support this bill which will leave our courts free to handle more serious cases!

SB-758

Submitted on: 2/28/2021 1:03:35 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Kay Ross	Individual	Support	No

Comments:

Please catch up with the majority of the States of the Union. For hundreds and hundreds of years cannabis was part of all apothacary cubbards. The human body has a cannabinoid system, known as the calming system. it is activated with cannabis. My sister healed herself of 4 stage cancer with it.

it is only in recent years since advent of corporate pharmaceuticals and the FDA that they have bought out that it has been made illegal. BTW, who owns the patent on cannabis???

SB-758

Submitted on: 2/28/2021 1:50:17 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melia Leslie	Individual	Support	No

Comments:

This is much anticipated and much overdue. We talk about diversification and sustainability in Hawaii, but yet our leaders and lawmakers refuse to look at legal marijuana as a legitimate solution...

The stigma and rhetoric that is attached to marijuana is what keeps Hawaii's complacent and under-zealous leaders and lawmakers safe and secure in their opposition to something that could be transformative for our state. Other states have done it and they have succeeded. Hawaii is in dire need of an economic life raft, and this could be it.

SB-758

Submitted on: 2/28/2021 1:50:43 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wray Jose	Individual	Support	No

Comments:

Aloha! I rise in support of SB 758, which would raise the threshold for decriminalization of marijuana from 3 grams to one ounce. Such a move would decrease the number of citizens whose lives may be ruined by being found in possession of amounts of marijuana as small as 3 grams. I therefore urge support of the passage of SB 758. Mahalo

--- Wray Jose

SB-758

Submitted on: 2/28/2021 2:12:18 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marsha Hee	Individual	Support	No

Comments:

I support SB 758 for what it states as a way to reduce costs of managing petty misdemeanor cases and reducing disqualification from the subsequent expungement of the record of that conviction.

TO: COMMITTEE ON JUDICIARY

FROM: Wendy Gibson-Viviani RN/BSN

RE: SB758 (In Support)

Hearing: Tuesday, March 2, 2021 at 9:35 a.m. Via Videoconference

Aloha Senator Karl Rhoads, Chair, Senator Jarrett Keohokalole, Vice Chair and Members of the Committee,

I am Wendy Gibson-Viviani, a Cannabis Nurse and medical cannabis patient advocate.

I support SB758 because I believe it will produce a greater impact on reducing the collateral damages from criminal penalties than the current law allows. Native Hawaiian adults and juveniles are arrested and incarcerated in disproportionate numbers---for cannabis possession. The consequences of involvement in the criminal justice system can last for an individual's lifetime and can destroy families for generations. It can destroy a person's ability to get a job, housing, education or child custody.

In 1972, the National Commission on Marijuana and Drug Abuse recommended decriminalization of possession of marijuana for personal use. Since then, 25 states (including Hawaii) and the District of Columbia have decriminalized possession of small amounts. Most of the thresholds are above an ounce. When Portugal decriminalized a ten-day supply of ALL drugs for personal use in 2011, the amount of marijuana allowed was 25 grams of plant material or 5 grams of hashish.

I encourage you to increase the amount from 3 grams to 28.5 grams (1oz). The 3 gram threshold was not based upon any public health criteria or evidence-based criminal justice statistic. One ounce is a more realistic amount that a user might purchase and carry for personal use –over time. Allowing for one ounce could cut down on the number of trips to the supplier—reducing the number of people driving.

And, Hawaii's medical cannabis program allows patients to possess up to 4 ounces of medicine at a time. That has not led to detrimental effects to public safety or health of the residents of Hawaii.

Please consider these ideas when making your decision—and please support SB758.

Mahalo for allowing me to testify.

Wendy Gibson-Viviani RN/BSN
Kailua

SB-758

Submitted on: 2/28/2021 2:43:59 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Support	No

Comments:

Aloha Senators,

Cannabis is the largest agricultural crop in Hawaii.

It should be completely legal!

At least, please support this bill, which is another baby-step in the right direction.

Mahalo,

Brian Murphy

SB-758

Submitted on: 2/28/2021 3:00:14 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
brandi corpuz	Individual	Support	No

Comments:

Aloha my name is Brandi Corpuz and I reside in Kihei Maui. I strongly support SB758 because our prisons and court systems are filled with people who made cannabis violations. Cannabis is known to be a medical necessity that treats a wide variety of conditions with little to no side effects. We have a prescription abuse problem in Hawaii because its illegal to use cannabis. It needs to be decriminalized and destigmatized. I would say that in my experience, alcohol and prescription drugs are far worse on our people, relationships and environment than cannabis has ever been. Used for thousands of years by most indigenous people, it should be a valued alternative to other legal ways of pain relief. Thank you, Brandi Corpuz

SB-758

Submitted on: 2/28/2021 3:02:07 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments:

Aloha,

I strongly support SB758. We need to stop fooling around with these Bills that come up every year and move on to more important measures.

One oz of cannabis should be the legal threshold for decriminalization, not 3 grams.

Mahalo for getting this passed,

Ms. Barbara Barry

Maui County

SB-758

Submitted on: 2/28/2021 3:28:14 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Individual	Support	No

Comments:

Aloha Senators,

Please, SUPPORT this vital legislation. As a volunteer for PATIENTS WITHOUT TIME, I have seen the great human suffering caused by Hawaii's continued prejudice against cannabis patients.

Please, SUPPORT this baby-step in the right direction, but better to amend this bill and completely legalize Hawaii's largest agricultural crop; MARIJUANA!

Mahalo,

Mary Whispering Wind

SB-758

Submitted on: 2/28/2021 6:23:41 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
sharon douglas	Individual	Support	No

Comments:

Please support the decriminalization of people carrying 10z or less of cannabis. If anything should be criminalized it is alcohol, since that can lead to traffic fatalities, violence and disruption to the peace.

Kind regards

Sharon Douglas

(808)652-1896

SB-758

Submitted on: 2/28/2021 6:26:46 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lanny Sinkin	Individual	Support	No

Comments:

Far too many lives have been disrupted and derailed by marijuana prohibition. Time to call for peace, not the war on drugs.

SB-758

Submitted on: 2/28/2021 6:41:34 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
sylvia cabral	Individual	Support	No

Comments:

fully legalize cannibus and pay all taxes schools, food, lower taxes. income producing hawaii

SB-758

Submitted on: 2/28/2021 7:25:26 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Emma Trainor	Individual	Support	No

Comments:

I live in Pahoia HI and am in support of SB758

SB-758

Submitted on: 2/28/2021 7:26:54 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Brandt	Individual	Support	No

Comments:

Support.

SB-758

Submitted on: 2/28/2021 8:00:59 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Courtney Mrowczynski	Individual	Support	No

Comments:

I strongly **SUPPORT** SB758 for the following reasons:

- Prohibition has resulted in mass incarceration and over-policing. More than 20,000 people were incarcerated for marijuana possession in 2010. Between 2001 and 2010, there were 8,244,943 marijuana arrests, of which 88 percent, were for possession. In 2010 alone, there were 889,133 marijuana arrests—300,000 more than arrests for all violent crimes combined—or one bust every 37 seconds. Marijuana arrests have increased between 2001 and 2010 and now account for 52 percent of all drug arrests in the United States.
- Enforcing cannabis possession laws costs the U.S. \$3.6 billion annually. Arrests for marijuana in all legal marijuana states and Washington, D.C. have plummeted. The reduction in arrests has resulted in substantial savings, estimated at hundreds of millions of dollars, for law enforcement and the judiciary.

SB-758

Submitted on: 2/28/2021 8:07:13 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Meredith Buck	Individual	Support	No

Comments:

I enthusiastically support SB758 as a strong, positive step towards decriminalizing marijuana.

SB-758

Submitted on: 2/28/2021 8:23:17 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Fontana	Individual	Support	No

Comments:

The less criminalization of marijuana, the better. This bill is a step in the right direction. Please pass it, and leave criminal penalties for real crimes.

SB-758

Submitted on: 2/28/2021 8:32:53 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tane Datta	Individual	Support	No

Comments:

I support this bill.

SB-758

Submitted on: 2/28/2021 9:30:38 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Morgan	Individual	Support	No

Comments:

I am submitting testimony supporting the decriminalization of marijuana at the following level (Increasing the threshold from 3 grams to 1 oz).

Thank You!

Andrea Morgan

SB-758

Submitted on: 2/28/2021 10:00:03 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jared Brewer	Individual	Support	No

Comments:

Please Increases from 3 grams to 1 oz the threshold for decriminalization of cannibas.

SB-758

Submitted on: 2/28/2021 10:15:14 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sierra Sonene Donnelly	Individual	Support	No

Comments:

Please increase the threshold for decriminalization of cannabis from 3 grams to 1 oz.

SB-758

Submitted on: 2/28/2021 11:39:30 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Alice	Individual	Support	No

Comments:

Please support this bill.

SB-758

Submitted on: 3/1/2021 1:39:05 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Robinson	Individual	Support	No

Comments:

Support.

SB-758

Submitted on: 3/1/2021 4:27:53 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Rost-Banik	Individual	Support	No

Comments:

Aloha. My name is Colleen Rost-Banik and I am a resident of Honolulu. I write in support of SB578 which increases the amount of marijuana possession from 3 grams to 1 oz in order to be charged with a petty misdemeanor. I urge you to support SB578 as it is an important step in reforming the State of Hawaii's criminal justice system. Our system disproportionately and negative impacts low income people, Native Hawaiians, and other Pacific Islanders. Decriminalizing small amounts of marijuana would help to decrease the number of people who are involved in the criminal justice system for petty offenses.

Respectfully,
Colleen Rost-Banik, PhD

SB-758

Submitted on: 3/1/2021 3:28:58 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Jaworowski	Individual	Support	No

Comments:

Please support the decriminalization of small amounts of marijuana. We do not need more people with prison records for minor marijuana use.

SB-758

Submitted on: 3/1/2021 8:12:28 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorraine Newman	Individual	Support	No

Comments:

Aloha from Kilauea, Kauai,

I strongly urge you to pass this bill. It is long overdue, and while only a small step in the right direction, it is indeed a step forward.

Fortunately, the issue of of criminal justice reform seems to be having its day.

The current law is biased as it stands, as those with deep pockets are often able to hire attorneys who can get such charges dropped, while those without financial means suffer the consequences of being labeled a criminal.

This bill will go a long ways towards the better use of law enforcement resources, and we need to be ever vigilant and impeccable about how we use such resources.

Using or possessing small amounts of Marijuana is not a criminal offense worthy of staining a person's record or the financial and psycho-emotional stress involved in defending this behavior.

Please pass this bill.

Lorraine Newman

SB-758

Submitted on: 3/1/2021 8:13:52 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Lacques	Individual	Support	No

Comments:

Testimony is support of SB 758. This bill would help curb Hawai'i's inequities related to drug enforcement.

SB-758

Submitted on: 3/1/2021 9:18:44 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Raelyn Reyno Yeomans	Individual	Support	No

Comments:

Strong support!

LATE

SB-758

Submitted on: 3/1/2021 9:58:07 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Penn	Individual	Support	No

Comments:

I am in support of SB758. It is a step in the right direction. I believe that marijuana should be completely legalized and decriminalized. It is a natural organic alternative to many pharmaceuticals.

LATE

SB-758

Submitted on: 3/1/2021 9:56:46 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ingrid Peterson	Individual	Support	No

Comments:

Please support this bill which raises the threshold for decriminalization so that people can expunge their records after such small amounts of marijuana. Then people won't have to suffer impacts on their employment opportunities. Mahalo. (From an O'ahu resident since 1963 who has voted in every election since I turned 18.)

LATE

SB-758

Submitted on: 3/1/2021 10:51:27 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Gionson	Individual	Support	No

Comments:

I strongly support SB 758 and with all of the 329 Compliers.

LATE

SB-758

Submitted on: 3/1/2021 12:10:39 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments:

Strongly Support - We need the money!



LATE

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

TESTIMONY IN SUPPORT OF SB 758

TO: Chair Rhoads, Vice Chair Keohokalole & Judiciary Committee Members

FROM: Nikos Leverenz
DPFH Board President

DATE: March 2, 2021 (9:35 AM)

Drug Policy Forum of Hawai'i (DPFH) **supports** SB 758. This bill would increase the amount of cannabis subject to misdemeanor criminal penalties for personal possession from 3 grams to 1 oz. We support the increased threshold articulated in this bill, and we also recommend that the base fine be lowered. Virginia's law, for example, carries a maximum fine of \$25 for possession of up to 1 oz. of cannabis.

There are lasting consequences to even a petty misdemeanor conviction, beyond further taxing this state's already bloated probation and jail populations. Significant "collateral consequences" to a misdemeanor conviction impact a person's ability to obtain housing, education, and employment. According the Council of State Governments, [there are over 100 collateral consequences to a misdemeanor conviction](#) in Hawai'i.

Uniform Crime Report data from 2000 to 2017, [the last year which statewide data is available on the Hawai'i Attorney General's website](#), show that a disproportionate number of Native Hawaiian adults and juveniles were subject to arrest for cannabis possession, followed by Filipinx residents. To the extent that an increased quantity threshold would reduce the undue criminalization of these persons, SB 758 would curb the negative impacts of the criminal legal system on many families and communities. As the 2010 Office of Hawaiian Affairs report observed, [Native Hawaiians bear a disproportionate burden of the punitive response to drug use, with policing and sentencing structures contributing to that disproportionality](#). Short of full decriminalization of cannabis, or legalization of adult use, this bill would help curb ongoing systemic inequities related to drug enforcement.

Thank you for the opportunity to provide testimony.

LATE

SB-758

Submitted on: 3/1/2021 6:06:51 PM
Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Rodwell	Individual	Support	No

Comments:

I thoroughly support this Bill

LATE

SB-758

Submitted on: 3/1/2021 6:16:20 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
laura Ramirez	Individual	Support	No

Comments:

- Eliminate the unfair race- and community-targeted enforcement of cannabis criminal laws;
- Help reduce over-incarceration in our jails and prisons;
- Curtail infringement upon constitutional rights, most notably as guaranteed by the Fourth Amendment's proscription of unreasonable searches and seizures; and
- Allow law enforcement to focus on serious crime.

LATE

SB-758

Submitted on: 3/1/2021 6:59:33 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lurline Bettencourt	Individual	Support	No

Comments:

Decriminalization would:

- Eliminate the unfair race- and community-targeted enforcement of cannabis criminal laws;
- Help reduce over-incarceration in our jails and prisons;
- Curtail infringement upon constitutional rights, most notably as guaranteed by the Fourth Amendment's proscription of unreasonable searches and seizures; and
- Allow law enforcement to focus on serious crime.

LATE

SB-758

Submitted on: 3/1/2021 9:28:29 PM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Evan Lam	Individual	Support	No

Comments:

Aloha to Judiciary Committee,

I write to you today in support of Senate Bill 758 and the continual decrease of the criminalization of cannabis. I write as a resident of Hawaii, a cannabis entrepreneur and a young constituent.

First, I would like to point out that cannabis, and hemp, have a longer history of being legal in the United States than being illegal. The genetics of the cannabis plant are at least 2.4 million years old, older than the laws of man and certainly the laws of the United States. Cannabis was legal in the United States since the writing of its Constitution to the mid 20th century which means it's been legal in the US for roughly 3 times longer than it has been illegal. One small step for Hawaii's decriminalization is a step in the right direction of history.

Second, the cost of criminalization has not only yielded increased financial burdens on government, the administration of government and its taxpayers, it has many extended costs to the communities who have been harmed by enforcement. In Hawaii, the cultivation of cannabis crops has often been replaced by the production of meth, a much more harmful and destructive drug, and it is still costing our communities daily. Cannabis has been a part of the local economy since it arrived on our shores in the 70's. Criminalization has done nothing to stop the production of cannabis, it has only created burdens on the judicial system, the destruction of families, and, frankly, an enormous missed section of our economy. This bill would represent a tiny step in the direction of beginning to heal the harms caused by the War on Drugs and play a part of new, more resilient and equitable local economy.

Third, the world is rapidly outpacing Hawaii in terms of cannabis legalization. Our stance on criminalization is rapidly being exposed as antiquated, non-scientific and illogical in the face of our fractured, collapsed economy. I was a cannabis entrepreneur in the Bay Area for just over 3 years. I witnessed a huge diversity of cannabis businesses, organizations and movements which are rewriting the face of the cannabis economy and its larger social narrative. From New Zealand to Oklahoma, we are fast losing a natural advantage in an accelerating piece of the global cannabis economy. In the United States, cannabis accounts for around 315,000 jobs and millions of dollars of trade. Hawaii has a unique position in the world of cannabis which rivals its

attractiveness as a tourist destination. That won't matter if we fail to act decisively in overturning this antiquated legal stance on cannabis.

I am an entrepreneur with a direct, lived experience of the cannabis economy. I have no opportunities to start a cannabis business in Hawaii and am watching as our communities flee to other states, where some of them will find family and friends working in legal cannabis industries and where they will take jobs and pay taxes in a variety of places that aren't Hawaii. Further indecision on the legalization of this very old plant will cost us. It will cost in healthcare and judicial expenses rendered to petty arrests and petty convictions while meth continues to run rampant among our people. It will cost us in lost tax revenue which could help fund education and our aging infrastructure. It will cost us in opportunities to create a robust, resilient local economy.

It already has cost us more than we know how to account for.

I urge the Judiciary Committee to support this bill.

Kind Regards,
Evan Lam

LATE

SB-758

Submitted on: 3/2/2021 3:54:05 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Mejia	Individual	Oppose	No

Comments:

I strongly OPPOSE SB758. The amount of marijuana should stay the same for reduced penalties. It should not go up to one (1) ounce from 3 grams.

Sincerely,

Margaret Mejia

LATE

SB-758

Submitted on: 3/2/2021 7:27:34 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Yvonne Geesey	Individual	Support	No

Comments:

support, mahalo!

LATE

SB-758

Submitted on: 3/2/2021 8:07:38 AM

Testimony for JDC on 3/2/2021 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Support	No

Comments:

Hello,

My name is Nanea Lo, I come from Papakāleā, O'ahu, now residing in Māhili in my ancestral homelands. I'm writing in support of SB767. It's about time we take steps to legalize and support marijuana a safe plant that helps so many people with their health disparities.

Support this bill.

me ke aloha 'Āina,

Nanea Lo