

**African American Lawyers Association  
1188 Bishop St. #1908  
Honolulu, HI 96813**

3-4-2017

**Committee on Judiciary and Labor  
Senator Gilbert S.C. Keith Agaran, Chair  
Senator Karl Rhoads, Vice Chair**

**Hearing: 3-4-17 at 9:30 AM  
Room 016**

**RE: African American Lawyers Association In Support of HB1501, HD2**

Dear Judiciary and Labor Chair **Keith Agaran** and Vice Chair **Rhoads**:

The African American Lawyers Association strongly supports of HB1501, Hd 2. HB1501 changes drug paraphernalia possession from a felony to a violation. This bill decriminalizes possession of items which may be considered drug paraphernalia and will assist in alleviating the over crowded prison system in Hawaii. Items such as pipes, smoking papers, plastic bags and scales should not be considered a felony especially given that there are legal medical marijuana users who use these items and people who are not drug users use the same items such as smoking a pipe of tobacco, using a bag for lotions, and the like. Please pass this Bill.

By Daphne E. Barbee Wooten  
President  
African American Lawyers Association



## Community Health Outreach Work

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Honolulu, HI 96813  
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### TESTIMONY IN SUPPORT OF HB 1501 HD2: RELATING TO DRUG PARAPHERNALIA

TO: Senator Gilbert Keith-Agaran, Chair; Senator Karl Rhoads, Vice Chair; and members of the Committee on Judiciary and Labor

FROM: Heather Lusk, Executive Director, CHOW Project

Hearing: Tuesday, April 4, 2017 at 9:30 AM in Room 016

Dear Chair Keith-Agaran, Vice Chair Rhoads, and members of the committee:

Thank you for the opportunity to provide testimony **in strong support** of HB 1501, changing drug paraphernalia possession and delivery offenses from felonies to civil violations.

74% of all people in Hawaii's correctional system are Class C felons, misdemeanants, petty misdemeanants, technical parole and probation violators. As outlined in the bill, the State of Hawaii is estimated to have spent over \$20 million to incarcerate 167 low level, non-violent drug offenders. Removing the felony charge for drug paraphernalia offenses and not imprisoning people for non-serious offenses could save the State millions of dollars. The money saved could then be redirected to rehabilitation programs and community programs focused on addressing public health and social challenges that many of our people face. Furthermore, research has shown that criminal records are a huge barrier to employment and upward mobility. Reducing this class C felony to a civil violation will address this barrier and prevent further harm towards people affected by drug use.

**The Community Health Outreach Work (CHOW) Project** is dedicated to serving individuals, families and communities adversely affected by drug use, especially people who inject drugs, through a participant-centered harm reduction approach. CHOW works to reduce drug-related harms such as but not limited to HIV, hepatitis B/C and overdose. CHOW supports the optimal health and well-being of people affected by drug use throughout the State of Hawaii. CHOW has operated the statewide syringe exchange program for the past twenty years. CHOW supports the harm reduction model to addressing drug use and further supports the decriminalization of drug paraphernalia offenses.

Thank you for taking the time to read my testimony and please support HB 1501 HD2.

Sincerely,

Heather Lusk  
Executive Director  
CHOW Project

*A* <sup>the</sup> Drug Policy  
Action Group

A sister organization of the Drug Policy Forum of Hawai'i  
PO Box 83, Honolulu, HI 96810 ~ (808) 853-3231

*Hawaii's Voice for Sensible, Compassionate, and Just Drug Policy*

**TO:** SENATE COMMITTEE ON JUDICIARY & LABOR

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

**DATE:** April 4, 2017, 9:30 a.m., Room 016

**RE:** H.B. 1501, H.D.2 RELATING TO DRUG PARAPHERNALIA – **IN STRONG SUPPORT**

Good morning, Chair Keith-Agaran, Vice Chair Rhoads 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 Hawai'i.

We urge you to pass HB1501, H.D. 2 a timely measure to convert the possession of drug paraphernalia from a class C felony to a civil violation. Enforcement of this law is disproportionately costly for little to no benefit to society. It merely adds another charge to persons accused of possession of an illegal substance. Tax dollars are better spent on community programs and rehabilitation for non-violent, low risk drug offenders.

In some instances, i.e. where immigrants are concerned, a conviction for the non-violent offense of possession of a needle or a pipe can be cause for deportation. Surely this is overkill for possession of products that can be legally purchased.

Passing this bill is another step in treating issues around substance use and abuse as the public health issues they are and reducing Hawaii's costly and damaging rates of incarceration.

Thank you for hearing this measure today and for considering our input. We urge you to pass this bill out to the full Senate for its approval. And mahalo for the opportunity to testify today.

## LATE TESTIMONY

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for HB1501 on Apr 4, 2017 09:30AM  
**Date:** Tuesday, April 4, 2017 7:50:04 AM

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### **HB1501**

Submitted on: 4/4/2017

Testimony for JDL on Apr 4, 2017 09:30AM in Conference Room 016

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

Comments: I strongly support HB1501 which decriminalizes possession of drug paraphernalia. At present we are spending millions of dollars to incarcerate people for what is a relatively minor offense. Moreover, by treating minor offenses harshly, we are incurring an enormous future cost to the public of building new jails or prisons to house large numbers of people. This bill is an important first step in reconsidering the classification of offenses and applying more reasonable penalties. Incarceration, far from reducing crime, becomes a crime school, while limitations on the opportunities for jobs and schooling of a felon make more serious crime more probable after release. I urge you to pass this humane bill.

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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# LATE TESTIMONY

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for HB1501 on Apr 4, 2017 09:30AM  
**Date:** Monday, April 3, 2017 5:46:16 PM

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## **HB1501**

Submitted on: 4/3/2017

Testimony for JDL on Apr 4, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Evern Williams	Individual	Support	No

Comments: Please pass this bill. My son got caught up in this poor law and was kept in OCCC an excessive amount of time. He is permanently damaged from his incarceration and currently going through PTSD therapy from what he witnessed and experienced in OCCC. He was not a hardened drug pusher and happened to have paraphernalia on his person that his friend put in his bag without him knowing about it.

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**LATE TESTIMONY**

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** JDL Testimony  
**Cc:**  
**Subject:** \*Submitted testimony for HB1501 on Apr 4, 2017 09:30AM\*  
**Date:** Tuesday, April 4, 2017 12:18:32 PM

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**HB1501**

Submitted on: 4/4/2017

Testimony for JDL on Apr 4, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Coco Iwamoto	Individual	Support	No

Comments:

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## LATE TESTIMONY

**From:** Paul Klink  
**To:** JDL Testimony  
**Subject:** Strong support of paraphernalia Bill 1501  
**Date:** Tuesday, April 4, 2017 9:59:46 AM

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As I mentioned in my in person verbal testimony I am in strong support this bill. I am a patient advocate at the wellness center cannabis card clinic and meet people daily we're at risk because of their medical devices they're using to take many of them cannot afford the cost of acquiring the medical, legal and and other costs and fees from the state to get their medical card yet and in the meantime and additional felony charge if they were caught with their medicine would make any of the qualifying diagnosed patients felons.

Aloha Lives,

Paul  
Cell:

Excuse my Apple® device. Siri has her own ideas about grammar and spelling!!!!

*A few fun links from Klink:*

**"Live Aloha at TEDxHonolulu"**

**"Being a New Dad at Age 50"**

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