

DAVID Y. IGE
GOVERNOR

JOSH GREEN M.D.
LT. GOVERNOR



ISAAC W. CHOY
DIRECTOR OF TAXATION

STATE OF HAWAII
DEPARTMENT OF TAXATION
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To: The Honorable Karl Rhoads, Chair;
The Honorable Jarrett Keohokalole, Vice Chair;
and Members of the Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair;
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair;
and Members of the Senate Committee on Ways and Means

From: Isaac W. Choy, Director
Department of Taxation

Date: March 3, 2021
Time: 9:45 A.M.
Place: Via Video Conference, State Capitol

Re: S.B. 767, S. D. 1, Relating to Cannabis

The Department of Taxation (Department) offers the following comments regarding S.B. 767, S.D. 1, for your consideration.

S.B. 767, S.D. 1, legalizes the personal use and possession of cannabis and authorizes the sale of cannabis at a permitted cannabis establishment. The previous committee amended this measure to prohibit cannabis use in vaporizing devices and personal use of cannabis in many public places. The bill also provides that cannabis cannot be packaged in colorful packaging or any other form that may appeal to children and youth and that cannabis advertising cannot appear near youth-centered areas like parks or schools. The bill requires the Department to create rules for the licensing of cannabis establishments. The bill provides that cannabis businesses will be subject to income and general excise taxes.

First, the Department notes it has no expertise in regulation of cannabis, thus, it is not the appropriate agency to make the rules and determinations authorizing cannabis establishments. Cannabis is still regulated as a Schedule 1 controlled substance under the Controlled Substances Act, 21 U.S.C. ch. 13 sec. 801 et seq. Therefore, the authorization of licensees to sell cannabis is a sensitive matter that requires expertise that the Department does not possess. The additional regulatory requirements inserted in S.D. 1 further exacerbate this issue and clearly demonstrate that the Department is unable regulate cannabis establishments beyond tax administration.

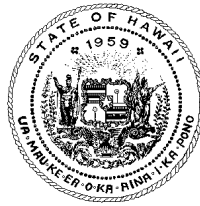
Second, the Department notes that any cannabis establishment will be subject to income and general excise tax. Therefore, the language included in section ___-10 is not necessary and as written may lead to confusion or ambiguity. The Department recommends deleting section ___-10 from the bill.

Third, the Department notes that Internal Revenue Code section 280E, which denies deductions and other tax benefits to taxpayers selling illegal drugs, is applicable for Hawaii income tax purposes. However, Hawaii has adopted an exception for its medical cannabis dispensaries. If this bill is moved forward, the Department recommends the Committee consider expanding that exception to apply to the cannabis establishments proposed in this bill.

Finally, the Department is willing and able to collect taxes from cannabis establishments. However, the Department notes that cannabis establishments, like the current medical cannabis dispensaries, will not be able to obtain banking services. Thus, they must pay their tax liabilities in cash. Even for the eight current medical cannabis dispensaries, this cash payment imposes a heavy administrative burden on the Department. Expanding this to recreational cannabis establishments will greatly increase this burden. The Department requests the Legislature explore solutions to this issue before expanding the scope and number of cannabis establishments.

Thank you for the opportunity to provide comments.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 767, SENATE DRAFT 1
RELATING TO CANNABIS.

By

Max N. Otani, Director

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

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Wednesday, March 3, 2021; 9:45 a.m.
Via Teleconference

Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran,
and Members of the Committees:

The Department of Public Safety (PSD) offers comments on Senate Bill (SB) 767 Senate Draft (SD) 1, which proposes to legalize the personal use, possession, and sale of cannabis in a specified quantity, require licensing to operate cannabis establishments, and subject cannabis establishments to excise taxes and income taxes. The Department has important concerns over this measure.

First, this draft of SB 767, SD 1 remedies the Department's earlier concerns over the personal use of cannabis on public highways, sidewalks, and areas under federal jurisdiction. However, the Department continues to believe that the personal use of cannabis should also be restricted from public parks, playgrounds and recreational areas where personal use may be problematic because of the likely presence of children, or the possibility that the personal use of cannabis in those places may encourage intoxicated driving, or nuisance behavior that disturbs

others. The prohibition on the use of intoxicating beverages at public parks, playgrounds, and recreational areas has long been accepted in the community. Consequently, because personal use of cannabis may also create intoxicating effects similar to intoxicating beverages, its use in public parks, playgrounds, and recreational areas should also be prohibited.

Second, The Department believes that SB 767, SD 1 should also adopt a “strict compliance” standard with respect to compliance with the law for the personal use of cannabis and cannabis establishments. Currently, Sections 329-125, 329-125.5, and 329-125.6, HRS, provide that participants in the authorized medical cannabis patient and dispensary programs must strictly comply with the requirements of those programs. Similarly, if the Legislature allows for the personal use of cannabis, and the development and operation of cannabis establishments, as envisioned by SB 767, SD 1, then it should also hold participants to the same strict compliance standards as it does for medical cannabis patients and dispensaries. If SB 767, SD 1 were to pass into law without a strict compliance requirement as with the authorized medical cannabis programs, there would be two distinct expectations for compliance with cannabis laws – a strict compliance expectation for medical cannabis program participants and a normal compliance expectation for all others who engage in the personal use of cannabis.

Thank you for the opportunity to testify on this measure.



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

ON THE FOLLOWING MEASURE:

S.B. NO. 767, S.D. 1, RELATING TO CANNABIS.

BEFORE THE:

SENATE COMMITTEES ON JUDICIARY AND ON WAYS AND MEANS

DATE: Wednesday, March 3, 2021 **TIME:** 9:45 a.m.

LOCATION: State Capitol, Room 211 Via Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Lance Goto,
Deputy Attorney General, at 586-1160)

Chairs Rhoads and Dela Cruz and Members of the Committees:

The Department of the Attorney General (Department) opposes this bill.

The purpose of this bill is to legalize the recreational use of marijuana. The bill would add a new chapter to the Hawaii Revised Statutes (HRS) that would: (1) legalize the personal use, possession, and sale of cannabis in a specified quantity; (2) legalize the production of cannabis, the processing and manufacturing of cannabis and cannabis products, the sale of cannabis, cannabis products, and cannabis accessories; (3) require licensing to operate cannabis establishments; and (4) subject cannabis establishments to excise taxes and income taxes. It would also amend chapter 712 HRS, to exempt from arrest, prosecution, and criminal culpability the acts permitted under the new chapter.

We oppose this measure for the following reasons:

1. The bill legalizes the personal use and sale of cannabis with few limitations and without regulation.

The bill legalizes the "personal use" of cannabis, which is defined on page 7 of the bill, at lines 10-14, as follows:

"Personal use" means an amount of cannabis not exceeding one ounce that is used for private, personal, or recreational purposes by persons age twenty-one years or older. The term personal use includes display, possession, sale, transport, transfer, or processing of cannabis or cannabis products.

Section -2 of the new chapter sets out the provisions for "personal use of cannabis" on page 7, line 20, to page 9, line 5:

§ -2 **Personal use of cannabis.** (a) Notwithstanding any law to the contrary, the personal use of cannabis is permitted.

(b) Personal use of cannabis shall not be the basis for arrest, seizure, or forfeiture of assets.

(c) The possession, use, display, purchase, transfer, or transport of cannabis, cannabis accessories, or cannabis paraphernalia for personal use shall be immune from criminal prosecution.

(d) The possession, growing, processing, or transporting of not more than six cannabis plants, with three or fewer being mature, flowering plants, and possession of the cannabis produced by the plants on the premises where the plants are grown shall not be subject to criminal prosecution; provided that the growing takes place in an enclosed and locked space and is not conducted openly or publicly, and that the plants are not made available for sale.

(e) The transfer or sale of one ounce or less of cannabis with or without remuneration to a person who is twenty-one years of age or older is permitted.

(f) The consumption of cannabis products is permitted; provided that consumption of flavored e-liquids and juices containing cannabis for vaporizing devices is prohibited.

(g) Assisting, advising, or abetting another person who is twenty-one years of age or older in any actions described in this section is permitted.

(h) Personal use of cannabis shall be prohibited on public highways, public sidewalks, and federal property.

These provisions would allow a person to possess on one's person, at any point in time, up to an ounce of cannabis. At the same time, the person would also be allowed to possess any amount of cannabis product at the premises where the person's plants are grown, with the only limitation being that the product is from the plants on the premises. It would be extremely difficult to prove that the product stored there was not from those plants.

"Personal use" also means that a person would be allowed to sell or transfer cannabis, up to one ounce at a time, to any adult. This means that a person could engage in multiple sales in one day, selling up to one ounce of cannabis every time.

All of this "personal use" conduct would be legal and unregulated. It appears that a "personal use" seller would not be required to obtain a retail cannabis store license.

There would be no control over the quality and safety of the product. The transactions would be completely unregulated, making cannabis much more accessible to minors.

2. The bill legalizes the commercial production, processing, and sale of cannabis without establishing a strong regulatory system that would ensure public health and safety.

This bill's approach to legalization disregards the past experiences of other states that have legalized cannabis. And it is inconsistent with the development of our medical cannabis laws. The Legislature, when establishing the medical cannabis program and the medical cannabis dispensary system, recognized the potential for harm to public health, safety, children, and the communities, and made a significant effort to establish a strong regulatory system.

In section -3 of the new chapter, starting on page 9, line 6, the bill requires a current, valid license to operate a retail cannabis store, a cannabis cultivation facility, a cannabis product manufacturing facility, and a cannabis testing facility. It is not clear, but it appears that the intent is to require a person to obtain one or more of these licenses if that person will be engaging in cannabis production, processing, manufacturing, and consumer sales in excess of "personal use" quantities. It also appears that these licenses would allow these cannabis establishments to grow, process, manufacture, and sell any amount of cannabis or cannabis product. While there are some restrictions on package labeling and advertising, there appear to be no limits or restrictions on the types of cannabis products that can be sold.

The Department is concerned that the licensing of these cannabis establishments, and the regulation of these establishments which will be engaged in cultivation, production, processing, manufacturing products for consumption, and retail sales, are being made the sole responsibility of the Department of Taxation (DoTax). The DoTax does not have the resources or expertise to regulate cannabis. The DoTax would also be required to adopt health and safety regulations and standards for the manufacturing of cannabis products and the cultivation of cannabis. See page 14, lines 7 to 9.

This bill legalizes cannabis, and then places all licensing and regulatory responsibility upon the DoTax without providing any funding or resources to DoTax. The Department is concerned that the proposed regulatory system will be insufficient and ineffective.

3. The bill does not prohibit the commercial sale or transfer of cannabis and cannabis products to minors.

While the "personal use" provisions in this bill only permit the sale or transfer of cannabis to persons twenty-one years of age and older, the commercial or retail sale provisions do not have such a limitation. The bill provides that licensed retail cannabis stores may sell cannabis or cannabis products to consumers. See page 9, lines 18 to 19. "Consumers" is not defined, and there are no prohibitions on sales to minors. The bill, at page 14, lines 1 to 3, does task the DoTax with establishing "requirements to prevent the sale or diversion of cannabis and cannabis products to persons under the age of twenty-one," but there is no prohibition under the proposed law.

4. The personal use and commercial provisions for cannabis will create a situation where law enforcement will be unable to enforce existing criminal marijuana laws.

Law enforcement will have the extremely difficult, if not impossible, task of enforcing criminal marijuana offenses against individuals exceeding "personal use" allowances, or unlicensed and unauthorized commercial activity, including the distribution of marijuana to minors, when "personal use" is unregulated and uncontrolled, and licensed commercial activity is subject to limited regulation and regulatory enforcement. It would be extremely difficult for law enforcement to take any action in the presence of marijuana. While a law enforcement officer may detect the odor of marijuana on a near a person, or observe a person using or possessing marijuana, such observations would not provide probable cause for the officer to take any enforcement action.

5. Cannabis is still illegal under federal law.

Federal law classifies cannabis as a schedule I controlled substance with “high potential for abuse” and a “lack of accepted safety for use.” See 21 U.S.C. 812 (2018). As a result, federal law prohibits the production, distribution, and possession of cannabis. Although the Legislature could legalize conduct that State law currently prohibits, it should not ignore federal law. The federal government could choose to enforce its cannabis laws, particularly when a state does not establish a strong regulatory system that would address the many concerns about cannabis.

6. Impaired driving is a public safety concern.

The Department is concerned that legalization of recreational cannabis could result in more Hawai'i drivers operating their vehicles while under the influence of cannabis. Surveys from the State of Washington provide reason for concern. Now that Washington has legalized recreational cannabis, Washington State reports that 39.1 percent of drivers admitted to driving within three hours of using cannabis.¹ Moreover, over half of drivers between the ages of 15 and 20 mistakenly believe that cannabis use makes their driving better.² In addition, the federal government's Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) reported that Colorado traffic deaths in which drivers tested positive for cannabis increased 109 percent after the state legalized cannabis.³ There is reason to be concerned that cannabis legalization could lead to increased traffic accidents in Hawai'i as well. And it is difficult for law enforcement to determine whether a driver who has cannabis in his or her system is under the influence of the drug. The lack of a test, like a breathalyzer test used to identify the influence of alcohol, makes detecting and prosecuting cannabis impaired drivers extremely difficult, even in cases involving traffic fatalities.

The Department respectfully requests that this measure be held.

¹ Darrin T. Grondel et al., *Marijuana Use, Alcohol Use, and Driving in Wash. State 2* (Wash. Traffic Safety Comm'n, 2018), https://wtsc.wa.gov/wp-content/uploads/2018/04/Marijuana-and-Alcohol-Involvement-in-Fatal-Crashes-in-WA_FINAL.pdf.

² *Id.*

³ Rocky Mountain High Intensity Drug Trafficking Area, *The Legalization of Marijuana in Colorado: The Impact 1* (Sept. 2019).

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

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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**

**THE HONORABLE DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS**

**Thirty-First State Legislature
Regular Session of 2021
State of Hawai'i**

March 3, 2021

RE: S.B. 767, S.D. 1; RELATING TO CANNABIS.

Chair Rhoads, Chair Dela Cruz, Vice Chair Keohokalole, Vice Chair Keith-Agaran, members of the Senate Committee on Judiciary, and members of the Senate Committee on Ways and Means, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in **opposition** to S.B. 767, S.D. 1.

The purpose of S.B. 767, S.D. 1, is to legalize the possession of up to one ounce of marijuana to create a new revenue source that would allow the State to meet its strategic goals and provide necessary funding for State programs. Although well intentioned when solely considering the economic impact on our State, the Department firmly believes that S.B. 767, S.D. 1, fails to consider social and health impacts of marijuana legalization.

With the passage of Act 273, Session Laws of Hawaii 2019, and the creation of the Marijuana Evaluation Task Force, the proposed changes in S.B. 767, S.D. 1, are premature. The Marijuana Evaluation Task Force was created to examine other states' 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 unintended delay of the report by the task force, our Department believes that implementation of S.B. 767, S.D. 1, is premature and that it be necessary to await the report completed by the task force.

Given the strong potential for widespread abuse and negative effects on the community, the Department strongly maintains that marijuana should continue to be strictly regulated and enforced, and that current statutes are appropriate in this regard. Perhaps even more importantly, legalization of the possession or sale of “personal use” amounts of marijuana would take away or severely limit our Family Courts’ ability to require any juvenile offenders to attend treatment, because they would no longer qualify as “law violators.” (See Sections 571-11(1) and 571-2, where the definition of “status offender” contains more information about “law violators.”) Given the notable health risks associated with using marijuana at a young age, and the limited time that our Family Courts have to get troubled youth back on-track, the Department believes it would be a great disservice to those youth, not to take every opportunity to provide (community-based) treatment and counseling that could steer them away from this dangerous behavior.

If the Legislature does legalize the use of marijuana, the Department believes that community based treatment and oversight is needed. A properly funded foundation for social services would ensure proper implementation.

For this and all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu opposes S.B. 767, S.D. 1. Thank you for the opportunity to testify on this matter.

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 28, 2021

TO: Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

Honorable Donovan M. Dela Cruz, Chair
Senate Committee on Ways and Means

FROM: Alice L. Lee
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee", is placed to the right of the printed name and title.

DATE: March 2, 2021

SUBJECT: **SUPPORT OF SB 767 SD1, RELATING TO CANNABIS**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to legalize the personal use, possession, and sale of cannabis in a specified quantity. The Maui County Council has not had the opportunity to take a formal position on this measure; however, the Council adopted on February 5, 2021, Resolution 21-19, entitled "SUPPORTING LEGALIZING, REGULATING, AND TAXING CANNABIS FOR RESPONSIBLE, ADULT USE." Therefore, I am providing this testimony on behalf of the Maui County Council.

The Maui County Council **SUPPORTS** this measure for the following reasons:

1. The Council supports legalizing, regulating, and taxing cannabis for responsible, adult use.
2. The Council supports promoting equitable ownership and employment opportunities in a legal cannabis industry to decrease disparities in life outcomes for marginalized communities, and to address the disproportionate impacts disparate enforcement of cannabis prohibition has had on those communities

For the foregoing reasons, the Maui County Council **SUPPORTS** this measure.

SB-767-SD-1

Submitted on: 3/1/2021 1:04:21 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

This measure attempts to legalize marijuana. The cost to our communities and our children will be too high.

Justin F. Kollar
Prosecuting Attorney



Rebecca Vogt Like
Second Deputy

Jennifer S. Winn
First Deputy

Diana Gausepohl-White
Victim/Witness Program Director

OFFICE OF THE PROSECUTING ATTORNEY

County of Kaua'i, State of Hawai'i

3990 Ka'ana Street, Suite 210, Līhu'e, Hawai'i 96766
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Victim/Witness Program 808-241-1898 or 800-668-5734

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

THIRTY-FIRST STATE LEGISLATURE

Regular Session of 2021

State of Hawai'i

February 16, 2021

RE: S.B. 767, S.D. 1 RELATING TO CANNABIS

Chairs Rhoads and Dela Cruz, Vice Chairs Keohokalole and Keith-Agaran, and Members of the Senate Committees on Judiciary and Ways and Means”

The Office of the Prosecuting Attorney, County of Kaua'i SUPPORTS S.B. 767, S.D. 1.

The purpose of this Bill is to decriminalize and regulate small amounts of cannabis for personal use; to establish regulations for the cultivation, sale, and personal use of small amounts of cannabis; and to subject income derived from cannabis sales to state income taxes.

This Bill recognizes that the war on drugs that began in the 1930s and continues until the present day has largely been a failure. The emerging consensus in our country is that cannabis can be safely decriminalized (or legalized) for adult recreational use without the negative social outcomes associated with drugs like methamphetamine, heroin, or even alcohol. Hawaii would not be an outlier to follow the trail forged by many other states in this regard. At this juncture we have seen what states have done right and what they have done wrong in establishing guidelines for adult recreational use and

Hawaii is well-situated to follow suit in crafting rules and regulations that will ensure success.

While we express no position regarding the provisions of this Bill relating to the details of licensure and taxation, we support the underlying policy provisions of this measure.

Accordingly, the Office of the Prosecuting Attorney, County of Kaua'i, requests that this measure be PASSED.

Thank you very much for the opportunity to testify.



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

POLICE DEPARTMENT COUNTY OF KAUAI



TODD G. RAYBUCK, CHIEF OF POLICE

Testimony of Todd G. Raybuck
Chief of Police
Kaua'i Police Department

Before the
Senate Committee on Judiciary
And
Senate Committee on Ways and Means
March 3, 2021

In consideration of
Senate Bill 767 SD1
Relating to Cannabis

Honorable Chairs Rhoads and Dela Cruz, Honorable Vice Chairs Keohokalole and Keith-Agaran, and Members of the Committee:

The Kaua'i Police Department (KPD) **strongly opposes** Senate Bill 767 SD1 relating to cannabis.

During my 29-year law enforcement career I served in many positions including: narcotics detective, demand reduction coordinator, and traffic bureau supervisor with the Las Vegas Metropolitan Police Department. In my experiences as law enforcement professional and a community member, I have seen firsthand the harmful impact marijuana has had in families, on the roadways, and in my own community.

The lure of increased tax revenue and claims of a regulated system that will eliminate the criminal element is intoxicating. Yet, as I observed in Nevada, the financial gains from the marijuana industry do not adequately support the resources needed to control the negative effects of marijuana legalization. And, the promises of a regulated industry that will weed-out the illegal marijuana market are contrary to the reality.

Despite the availability of a legal marijuana market in Nevada, the marijuana black market flourished after legalization. After retail marijuana legalization occurred in Nevada in January 2017, there was a visible increase in black market marijuana sales and delivery services advertising on the internet and social media sites. Many of these advertisements used an elaborate screening process to prevent interference from law enforcement.

Illegal marijuana seizures increased significantly after marijuana legalization. The Las Vegas Metropolitan Police Department observed increased marijuana seizures up 47% in 2017 compared to



2016. Seizures of cannabis products from parcel facilities also increased significantly in 2017: marijuana seizures up 111% and THC edibles up 455%. Seventy-two percent of drug parcels seized in 2017 contained marijuana products. At least 10% of the marijuana recovered in those shipments can be traced back to legal purchases from dispensaries and production facilities. In addition, 2017 seizures of cocaine increased an alarming 567% over 2016.

Drug related homicides increased after marijuana legalization in Nevada. Homicides related to an altercation over drugs increased 21% in 2017 after marijuana legalization compared to 2016, marijuana was the cause of the altercation in 53% of those homicides. In 2017, 58% of all drug related murders (24) involved marijuana.

Marijuana legalization negatively impacts the quality of life. Marijuana legalization impacted the quality of life in the tourist corridors and in residential neighborhoods. Despite being illegal, the volume of persons smoking marijuana in public within the tourist corridors and parks increased significantly. In residential communities, complaints increased related to the strong odor of marijuana coming from neighbors' homes.

Marijuana legalization increases risk on the roadways. Drivers involved in fatal crashes who tested positive for THC, the mind-altering psychoactive drug in marijuana, increased after marijuana legalization in Washington state.

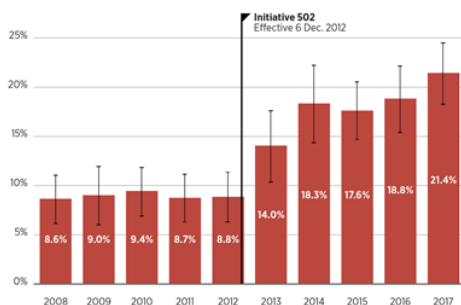


Figure 1. Estimated Percentage of Drivers Involved in Fatal Crashes Who Were THC-Positive, Washington State, 2008-2017. Vertical bars represent 95% Confidence Intervals.

Legalizing marijuana retail sales is only the beginning. The retail marijuana industry in Nevada has lobbied lawmakers for an expansion of marijuana businesses including marijuana consumption lounges, marijuana themed restaurants, bars, and nightclubs.

Hawai'i will not be immune to the negative effects of marijuana legalization seen in other states. For these reasons the Kaua'i Police Department **strongly opposes** Senate Bill 767 SD1.

I appreciate your time and consideration.

Sincerely,

Todd G. Raybuck
Chief of Police
Kaua'i Police Department



SB-767-SD-1

Submitted on: 2/27/2021 11:06:27 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|------------------------------|---------------------------|---------------------------|
| Paul Janes-Brown | Testifying for Cannabis Maui | Support | No |

Comments:

Aloha Chairmen and members of the Judiciary and Ways and Means Committees,

I am Paul Janes-Brown, past precinct president and current co chair of Education for the Democratic Party of Maui and I represent more than 250 followers of Cannabis Maui, we are in favor of SB767, a bill that Legalizes the personal use, possession, and sale of cannabis in a specified quantity. Requires licensing to operate cannabis establishments. Subjects cannabis establishments to excise taxes and income taxes.

This bill is important for the following reasons: 1. Substantial new source of state tax revenue; 2. New, sustainable source of employment; 3. Keeps agricultural land in agriculture; 4. Provides welcome for our visitors who come from California, Oregon, Washington, Canada and the other states that have legalized; 5. Frees law enforcement to go after violent offenders; 6. Lowers the population of incarcerated persons and clears the records of persons who never should have been incarcerated in the first place.

As the first state to legalize medical marijuana, Hawaii was a trailblazer in the movement to raise the level of consciousness in the country about the efficacy of what has been unbelievably equated as a dangerous drug since Prohibition and adversely impacted the lives of untold multitudes of persons. Hawaii should have been the first to legalize recreational adult use cannabis instead of the 15th. You, Mr. Chairmen and ladies and gentlemen of these committees have the opportunity to right this wrong.

Please vote in favor of this bill. Mahalo nui loa

Me ka ha`aha`a

Paul Janes-Brown



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

TESTIMONY IN SUPPORT OF SB 767, SD 1

TO: Chair Dela Cruz, Vice Chair Keith-Agaran, & Ways & Means Committee Members
Chair Rhoads, Vice Chair Keohokalole, & Judiciary Committee Members

FROM: Nikos Leverenz
DPFH Board President

DATE: March 3, 2021 (9:45 AM)

Drug Policy Forum of Hawai'i (DPFH) **strongly supports** SB 767, SD1, which would legalize the personal use, possession, and sale of cannabis.

The taxation and regulation of adult-use cannabis will generate revenues that will augment the legislature's ability to satisfy its year-to-year priorities or strengthen its budget stabilization capacity. [Even a smaller state like Alaska, which has a modest adult-use cannabis sector that has been online for three years, now sees over \\$25 million in revenue.](#)

A well-regulated marketplace can also spark the creation of new business enterprises of varying size directly related to the growth, production, distribution, and sale of cannabis and manufactured cannabis products. Scores of new high-paying jobs for kama'aina would be created at the outset, many with benefits that could be derived directly from employers or negotiated through the collective bargaining process. New commercial activity would also be generated by the ongoing needs of the cannabis sector, including agricultural supply, testing, inspection, distribution, packaging, commercial real estate, retail, food, marketing, and security. Businesses can also attract an increased level of capital investment that might not otherwise be available to Hawai'i's economy.

The availability of legal cannabis products will be attractive to many visitors from domestic and international jurisdictions that do not permit legal adult use. This is currently the case with Hawai'i residents who visit Nevada, every other state with a Pacific coastline, and other states that will soon include Montana, Arizona, and South Dakota.

Several states are looking to legalize adult-use cannabis through their legislatures in 2021, including Virginia, Pennsylvania, New York, Connecticut, and New Mexico. The measure in New Mexico, [HB 12](#), is particularly salutary for its original provisions furthering social equity, protections for use, community reinvestment, medical cannabis protections, public health policies, and reduction of criminalization.

As the legislature moves forward in its deliberations, it should adopt social justice measures to ensure a meaningful level of participation for those who have been marginalized and criminalized through cannabis prohibition and the larger drug war. [The current regime of cannabis prohibition, like the larger drug war, compounds the harm of extensive involvement in the criminal legal system by Native Hawaiians](#) and other residents significantly impacted by social determinants of health.

Hawai'i's emerging cannabis economy should be one that is open to broad participation. Social equity centers impacted communities in every stage of production and distribution, from the growth of cannabis plants to the distribution and delivery of cannabis flower and manufactured cannabis products, as well as licensing and the provision of technical assistance. Employment opportunities should be made available to formerly incarcerated persons and those otherwise involved in the criminal legal system. Businesses should be required to develop social responsibility programs that include equity initiatives.

[Long term arrest data](#) indicates that Native Hawaiians are disproportionately impacted by overcriminalization of cannabis in every county. [A misdemeanor conviction features many "collateral consequences" that impact an individual's ability to obtain employment, housing, and education.](#)

Cannabis prohibition also needlessly raises the costs to Hawai'i's criminal justice system, where terms of probation or parole are lengthened apart from a more calibrated determination of increased safety risks to the community. Prolonged periods of probation or parole increase the likelihood of a return to jail or prison at great cost to state taxpayers. [A recent report from the Pew Charitable Trusts found that this state has the longest average term of probation at almost five years.](#)

While cannabis use is not entirely devoid of individual health risks, its use does not produce the injury, illness, and death resulting from regular or problematic use of alcohol or tobacco, two widely used licit substances that are not included in the federal Controlled Substances Act.

The most recent data from the federal Centers for Disease Control and Prevention (CDC) indicate more than [95,000 deaths each year in the United States due to excessive alcohol use](#), with a cost of \$249 billion in terms of lost productivity, health care expenses, criminal legal expenses, and motor vehicle crashes. Alcohol-related deaths were a record high in 2020, with a rate of 12.8 per 100,000. CDC's numbers for tobacco use in the United States are even more

grim: [480,000 deaths per year and over \\$320 billion in costs](#) for direct medical care (\$170 billion) and lost productivity (\$156 billion).

When Canada legalized adult-use cannabis, the nation saw a [3% reduction in beer consumption](#) in the subsequent year. Legalization also had a positive impact on Canadian youth use rates, [which fell from 20% to 10% in two years](#).

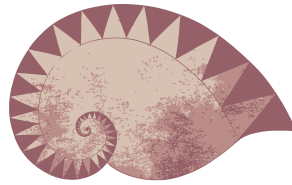
As a general matter, DPFH supports evidence-based education for all persons, from students to seniors, that includes science-based information on alcohol and other drugs and the promotion of resilience through harm reduction.

DPFH also supports treatment upon request for those with diagnosed substance use disorders. As noted by the American Public Health Association:

Public health approaches offer effective, evidence-based responses, but some of the most effective interventions are not currently allowed in the United States owing to outdated drug laws, attitudes, and stigma. Substance misuse treatment is too often unavailable or unaffordable for the people who want it. A criminal justice response, including requiring arrest to access health services, is ineffective and leads to other public health problems. (Policy Statement, "[Defining and Implementing a Public Health Response to Drug Use and Misuse](#).")

DPFH also supports APHA in "ending the criminalization of drugs and drug consumers, prioritizing proven treatment and harm reduction strategies, and expanding (and removing barriers to) treatment and harm reduction services." (*Id.*)

Thank you for the opportunity to testify in support of this timely reform. Hawai'i can uniquely position itself to participate in an emerging industry that will likely experience protracted growth on a domestic and international basis in the coming years.



Pono Hawai'i Initiative

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

Monday, March 2, 2021

Relating to Cannabis
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports SB767 SD1 Relating to Cannabis. This measure legalizes the personal use, possession and allows for the sale of cannabis.** Hawai'i has been making this transition for years, first starting with medicinal use and decriminalization of small amounts.

It is high time that Hawai'i legalize and regulate the responsible adult use of cannabis. Without legalizing, Hawai'i will continue wage an unnecessary war on marijuana. Prohibition costs money and can negatively effect peoples' lives long term. By regulating the use of cannabis, we can have oversight of the industry, create an economic benefit for the State, and focus our public safety resources and time on more important issues.

For these reasons, we urge the Committee to **vote in favor of SB767 SD1.**

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 COMMITTEES ON THE JUDICIARY AND WAYS & MEANS
RE: Testimony in Support of SB767 SD1

Dear Senators,

Young Progressives Demanding Action (YPDA) stands in **strong support of SB676 SD1**, which would legalize and tax responsible recreational cannabis use for adults in Hawai'i.

In the 50 years since Richard Nixon declared the “War on Drugs” in 1971, the United States has fought a losing campaign to end domestic drug use that 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.

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 cannabis 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.

While costing [billions of dollars](#), the “War on Drugs” has also degraded the nation’s social and public health, while failing to have [any marked effect on the use or availability of drugs](#). Indeed, the United States today is the world’s [largest consumer of illegal drugs](#).

In place of cannabis prohibition, and taking a cue from the failure of alcohol prohibition, states should legalize cannabis by licensing and regulating cannabis production, distribution, and sale, and decriminalizing its possession and use by persons 21 or older.

Legalization would eliminate the unfair race- and community-targeted enforcement of cannabis criminal laws; help reduce overincarceration 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.

Furthermore, at a time when states are facing budget shortfalls, legalizing cannabis makes fiscal sense. The licensing and taxation of cannabis will save states millions of dollars currently spent on enforcement of cannabis criminal laws. It will, in turn, raise millions more in revenue to reinvest in public schools and substance abuse prevention, as well as general funds and local budgets, research, and public health, [to help build stronger, safer communities](#).

QUICK FACTS

Prohibition has completely failed to reduce cannabis use. Despite the fact that many police departments have made aggressive enforcement of cannabis laws an increasing priority and states have spent billions of dollars on such enforcement, these efforts have utterly [failed to diminish cannabis’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 cannabis in a given month; by 2011, that number [had increased](#) to 18.1 million (7 percent of the total population).

The White House’s Office of National Drug Control Policy [found](#) that cannabis prices dropped and stabilized after the early 1990s, and [several surveys](#) show cannabis use rose and stabilized among youth in the same time period.

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

Prohibition exacerbates institutional racism within the prison system. On average, a Black person is 3.73 times more likely to be arrested for cannabis possession than a white person, even though Blacks and whites use cannabis at similar rates—a disparity that [increased 32.7 percent](#) between 2001 and 2010. Such racial disparities in cannabis 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. Legalization is the smartest and surest way to end targeted enforcement of cannabis laws in communities of color.

Cannabis is more than [100 times](#) safer to use than alcohol. In a [comparative analysis](#) on the risks of recreational drugs, alcohol was the top contender, while cannabis was considered the lowest risk.

Cannabis has legitimate medicinal value. Studies are starting to show cannabis's potential in [shrinking aggressive cancerous brain tumors](#). Furthermore, a recent American [study](#) found that treating epilepsy and other seizure disorders with CBD reduced seizures by 54 percent. Use of THC reduced spasticity in sufferers of multiple sclerosis by [30 percent](#). Cannabis may also [reduce depression](#) and [relieve anxiety](#).

Youth cannabis use rates have remained stable. Since adult-use recreational cannabis was legalized in Colorado, many feared that it would lead to increased consumption among youth. In fact, legalization has had the exact opposite effect: due to education and regulations restricting use to adults, the percentage of teenagers in Colorado using cannabis has been [steadily dropping](#) from 22 percent to 20 percent between 2011 and 2013, and remains below the national average of 23.4 percent. [Teen levels](#) are [holding steady](#) nationally as well.

Legalization has not made our roads less safe. The total number of arrests for driving under the influence of alcohol and other drugs has declined in [Colorado](#) and [Washington](#), the first two states to regulate cannabis for adult use. There is [no clear correlation](#) between cannabis legalization and crash rates. The crash rates in both states are [statistically similar](#) to comparable states without legal cannabis.

Legalization has not resulted in a public health crisis. Calls to poison control centers and visits to emergency departments for cannabis exposure remain relatively uncommon. In Oregon, [less than 1 percent of calls](#) to the state's poison centers in 2016 were related to cannabis exposure. In Colorado, a mere [0.04 percent](#) of the state's 2.3 million emergency department visits in 2014 were for cannabis exposure.

Cannabis legalization is [linked](#) to lower rates of opioid related harm. Early studies have revealed a correlation between states with [access to medical](#) and adult-use recreational cannabis and lower rates of opioid overdose mortality (M.D. Livingston et al., "Recreational cannabis legalization and opioid-related deaths in Colorado, 2000-2015," *American Journal of Public Health*, 107, No. 11, November 2017, p. 1827-1829). This analysis of opioid overdose deaths in Colorado found that, after cannabis was legalized for adult use, there was a reduction of 0.7 deaths per month in the state and that the decades-long upward trend of overdoses began to decline after 2014, the first year of cannabis retail sales in the state.

In states with legal access to cannabis, overdose death rates are almost 25 percent lower than in states with no legal access, and the reductions in overdose death rates have strengthened over time (M.A. Bachhuber et al., “Medical cannabis laws and opioid analgesic overdose mortality in the United States, 1999-2010,” *JAMA Internal Medicine*, 174, 10, 2014, p. 1668-1673).

Legal access to cannabis has been associated with a [23 percent reduction](#) in opioid dependence or abuse-related hospitalizations and [15 percent fewer opioid treatment admissions](#).

Legalization will save states hundreds of millions of dollars. Enforcing cannabis possession laws costs the U.S. [\\$3.6 billion annually](#). Arrests for cannabis in all legal cannabis 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. It is yet unknown how much reductions in opioid use will save states in long-term medical costs.

Legalization will generate hundreds of millions more in new revenue. Cannabis sales in Washington generated [\\$315 million](#) in tax revenues in the 2016–17 fiscal year, and [\\$70 million in Oregon](#), more than double the [predicted revenue](#). Since sales began in Colorado in 2014, the state has collected [\\$1.6 billion in tax revenue](#) (as of January 2021).

A 2010 [paper](#) from the libertarian Cato Institute found that universally legalizing cannabis would net all levels of the government \$17.4 billion annually—half of that would come from reduced spending and costs (particularly for drug enforcement), and the rest would come from taxing cannabis like alcohol and tobacco, and from new economic activity.

Revenue from regulating cannabis sales has been put to immense social good:

- Colorado distributed [\\$230 million to the Colorado Department of Education](#) between 2015 and 2017 to fund school construction, early literacy, bullying prevention and behavioral health.
- [Oregon](#) allocates 40 percent of cannabis tax revenue to its state school fund, depositing \$34 million into the fund after the first year of tax collection. The state also distributes 20 percent to alcohol and drug treatment.
- Nevada’s 15 percent wholesale tax brought in more than [\\$27 million](#) to fund state schools in Fiscal Year 2018.
- Washington dedicates 25 percent to substance use disorder treatment, education and prevention. The state also distributes 55 percent of its cannabis tax revenues to fund basic health plans.
- Alaska will collect an estimated [\\$12 million annually](#), which will fund drug treatment and community residential centers.
- Massachusetts and California, by statute (M.G.L.A. 94G § 14(b)(v); Cal. Rev. & Tax. Code § 34019(d)), will invest a share of their cannabis tax revenues in the communities most

adversely impacted by drug arrests and incarceration, particularly low-income communities of color, to help repair the harms of unequal drug law enforcement.

A legal cannabis industry would create thousands of new jobs. The legal cannabis industry already employs roughly [321,000 full-time workers across the country](#), including 78,000 new jobs added over the past year in the midst of a recession.

Colorado created [10,000 new jobs](#) in the legal cannabis industry in the first six months since legalization in 2014, boosting the economy and contributing to a lowering of the unemployment rate to just 6 percent, making it one of the lowest in the nation pre-pandemic.

A legal cannabis industry would undercut the black market. Mexican cartels were once the top suppliers of cannabis to the United States. However, since legalization has swept across multiple states and Washington, D.C., the amount seized by the U.S. Border Patrol [dropped 24 percent](#) between 2014–15. At the same time, the price of Mexican-grown cannabis [dropped from \\$90 down to \\$30 per kilogram](#), dramatically reducing the profitability of illegal activity.

Legalization also brings proper regulation and infrastructure, and ushers in potency testing, product variety, warning labels, and overall peace of mind for the consumer.

For all these reasons, please support this bill.

Mahalo for the opportunity to testify,

Will Caron
Board President & Secretary
action@ypdahawaii.org

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: INCOME, GENERAL EXCISE, Legalization of Marijuana for Personal Use

BILL NUMBER: SB 767, SD1

INTRODUCED BY: Senate Committee on Public Safety, Intergovernmental, and Military Affairs

EXECUTIVE SUMMARY: Legalizes the personal use, possession, and sale of cannabis in a specified quantity. Requires licensing to operate cannabis establishments. Subjects cannabis establishments to excise taxes and income taxes.

SYNOPSIS: As it relates to taxation, the bill adds a new chapter to the HRS, of which section ___-10 states simply, “A marijuana establishment shall be subject to payment of income taxes on gross receipts under chapter 235 and payment of excise taxes under chapter 237 for each transaction conducted by the marijuana establishment.”

EFFECTIVE DATE: Upon approval.

STAFF COMMENTS: In the bill’s preamble, section 1, the legislature “finds cannabis cultivation and sales hold potential for economic development, increased tax revenues, and reduction in crime.” However, proposed HRS section ___-10 states simply that the business of a marijuana establishment would be subject to tax under the Net Income and General Excise Tax laws. Any business, however, is already subject to taxes under those laws if there is no specific exemption.

The Income Tax Law already states, in section 235-2.4(v), that cannabis sales by licensed dispensaries are not subject to the disallowance rules in Internal Revenue Code section 280E. That section presupposes that the law generally applies to cannabis establishments.

The General Excise Tax Law already states, in section 237-24.3(6), that the exemption for sales of prescription drugs does not apply to sales of cannabis or cannabis products even for medicinal purposes. That language presupposes that the law generally applies to cannabis establishments.

Thus section ___-10 as it is now drafted seems to be superfluous.

Digested 2/28/2021

March 3, 2021

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Committee on Ways and Means

RE: SB767 SD1 Relating to Cannabis. – OPPOSE

AAA Hawaii **opposes** SB767 SD1, which legalizes cannabis for personal use and makes lawful the operation of cannabis business establishments. The issue before you is complex and impacts many public policy areas. However, this committee must carefully examine empirical evidence from other states to demonstrate the strong connection between drug impaired driving and marijuana legalization.

AAA opposes the legalization of recreational cannabis due to the expected increase in motor vehicle crashes, injuries, and fatalities.

- Fatal crashes involving drivers who recently used cannabis doubled in Washington state after legalization, according to research by the AAA Foundation for Traffic Safety (2020) (Tefft, 2020). Crash rates and insurance claims also increased in Colorado, Nevada and Oregon after recreational legalization passed. (Insurance Institute for Highway, 2018)
- Data from the Colorado Division of Criminal Justice shows the number of fatalities with cannabinoid-only or cannabinoid-in-combination (with other drugs and alcohol) positive drivers increased 153%, from 55 in 2013 to 139 in 2017. (Colorado Department of Public Safety, 2018)

Hawaii is simply not prepared to manage the potential highway safety consequences. SB767 SD1 does nothing to address the greater need for enforcement following marijuana legalization or add to the number of Drug Recognition Experts (DRE). Moreover, there has been little to no public education around the dangers of cannabis-impaired driving in Hawaii.

1130 N. Nimitz Highway, Suite A170, Honolulu, HI 96817

Auto Club Enterprises provides service to more than 14 million members



While AAA remains opposed to legalization, we recommend the following elements be included in any legislation to legalize recreational cannabis:

1. **Drugged Driving:** Unlike tests for alcohol, there are no breath or blood tests available that accurately measure impairment related to use of cannabis. Because cannabis affects individuals differently, even per se limits could let impaired drivers back on the road. Consequently, AAA recommends implementing a two-step system to test for impairment:

- Behavioral and physiological evidence of driver impairment at traffic stop; **AND**
- A positive test indicating presence of cannabis in the driver's system.

2. **Open Container:** Hawaii's open container law must be updated to include a prohibition on (1) the consumption of cannabis while driving and (2) open cannabis products in the passenger area of a motor vehicle.

3. **Funding for Additional DREs:** AAA recommends funding and training for additional Drug Recognition Experts (DREs) for the state. As of 2018, however, Hawaii had **fewer than 50** trained DREs (Foundation for Advancing Alcohol Responsibility, 2018).

4. **Funding for Public Education:** AAA recommends Hawaii fund an intensive public education campaign, with a focus on dangers of drugged driving, which would be conducted prior to legalization of recreational cannabis. (Colorado Department of Public Safety, 2018)

AAA Hawaii was founded in 1915 in Honolulu and is a leader in motorist services and a strong advocate for traffic safety. With more than 170,000 members in Hawaii and 60 million nationwide, service to and the safety of our members, other motorists, and all road users is our founding and continuing purpose. This is especially true in Hawaii where alcohol and drug impaired driving fatalities remains a persistent problem. SB767 SD1 needs to adequately address the traffic safety consequences of cannabis legalization or risk an increase in serious injuries and fatalities from driver impairment.

Sincerely,

Liane Sumida

Liane Sumida
General Manager

Bibliography

Colorado Department of Public Safety. (2018). *Impacts of Marijuana Legalization in Colorado: A Report Pursuant to Senate Bill 13-283*. Denver: State of Colorado.

Foundation for Advancing Alcohol Responsibility. (2018). *State Law: Drug Evaluation and Classification Program*. Arlington, VA.

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Tefft, B. &. (2020). *Cannabis Use Among Drivers in Fatal Crashes in Washington State Before and After Legalization (Research Brief)*. Washington, D.C.: AAA Foundation for Traffic Safety.

SB-767-SD-1

Submitted on: 3/1/2021 1:09:45 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|------------------------------|---------------------------|---------------------------|
| Paul Janes-Brown | Testifying for Cannabis Maui | Support | No |

Comments:

Aloha Chairmen and members of the Judiciary and Ways and Means Committees,

I am Paul Janes-Brown, past precinct president and current co chair of Education for the Democratic Party of Maui and I represent more than 250 followers of Cannabis Maui, we are in favor of SB767, a bill that Legalizes the personal use, possession, and sale of cannabis in a specified quantity. Requires licensing to operate cannabis establishments. Subjects cannabis establishments to excise taxes and income taxes.

This bill is important for the following reasons: 1. Substantial new source of state tax revenue; 2. New, sustainable source of employment; 3. Keeps agricultural land in agriculture; 4. Provides welcome for our visitors who come from California, Oregon, Washington, Canada and the other states that have legalized; 5. Frees law enforcement to go after violent offenders; 6. Lowers the population of incarcerated persons and clears the records of persons who never should have been incarcerated in the first place.

As the first state to legalize medical marijuana, Hawaii was a trailblazer in the movement to raise the level of consciousness in the country about the efficacy of what has been unbelievably equated as a dangerous drug since Prohibition and adversely impacted the lives of untold multitudes of persons. Hawaii should have been the first to legalize recreational adult use cannabis instead of the 15th. You, Mr. Chairmen and ladies and gentlemen of these committees have the opportunity to right this wrong.

Please vote in favor of this bill. Mahalo nui loa

Me ka ha`aha`a

Paul Janes-Brown

March 1, 2021

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

RE. SB767, RELATING TO CANNABIS

Aloha, my name is Greg Tjapkes, and I am the executive director of The Coalition for a Drug-Free Hawaii. Our mission is to reduce and prevent drug abuse in Hawaii through awareness, education, and action.

The Coalition for a Drug-Free Hawaii Strongly Opposes SB767 SD1

In considering marijuana legalization we must first ask whether this policy promotes the health and welfare of our keiki and families. Normalizing marijuana use will only increase exposure and risk factors for youth. Sixty-two percent of adolescents receiving state funded substance abuse treatment identify marijuana as their primary reason for seeking treatment. Further:

- Children under 17 years of age who smoke marijuana daily are over **60 per cent less likely to complete high school** than those who never smoke weed.ⁱ
- Daily marijuana use is associated with increased odds of **psychosis** compared with never users, increasing to nearly **five-times** increased odds for daily use of high-potency types of cannabisⁱⁱ
- People diagnosed with cannabis dependence may experience a **loss of up to 6 IQ points**ⁱⁱⁱ
- Children of parents with adolescent-limited or chronic marijuana use **were 2.5 to 4.4 times more likely to use** marijuana themselves.^{iv}

The Standing Committee Report #412 dated February 19, 2021 from the Committee on Public Safety, Intergovernmental and Military Affairs incorrectly asserts the following on page 2, paragraph 2 of the report: “Your Committee further finds that legalization in these states has...”

1. “reduced opioid overdose deaths and untreated opioid use disorders,”
2. “and lowered the number of arrests for driving under the influence of alcohol and other drugs.”

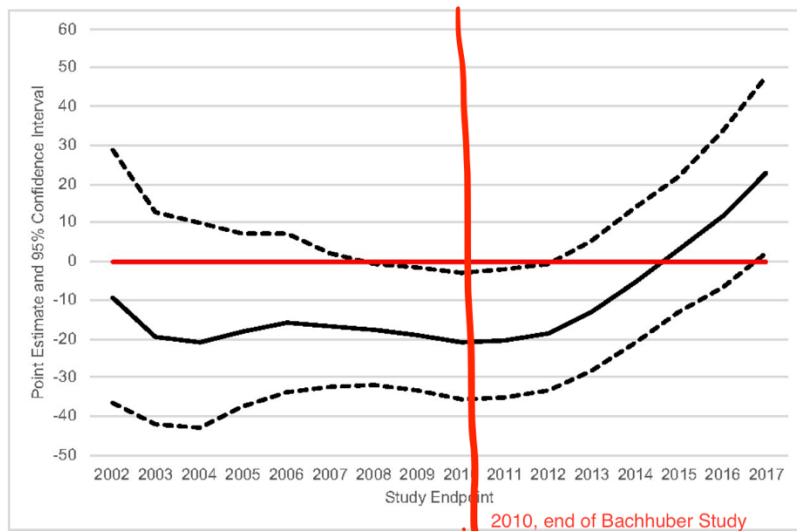
Coalition for a Drug-Free Hawaii

The Association between medical cannabis laws and opioid overdose mortality has reversed over time

Regarding opioid deaths, an outdated study by Bachhuber et al. is often referenced by legalization proponents because it found that from 1999 to 2010 states with medical cannabis laws experienced slower increases in opioid analgesic overdose mortality.^v However, this was prior to legalization in any state.

A follow-up study by Shover et al. extending Bachhuber et al.'s analysis through 2017 found the original analysis did not hold over the longer period, but **the association between state medical cannabis laws and opioid overdose mortality reversed direction from -21% to +23%** and remained positive after accounting for recreational cannabis laws.^{vi}

Changes in point estimate and 95% CI of association between medical cannabis law and age-adjusted opioid overdose death rate by the last year included in the analysis since 1999.



Chelsea L. Shover et al. PNAS 2019;116:26:12624-12626

PNAS

©2019 by National Academy of Sciences

The use of the Bachhuber study to demonstrate a reduction of opioid overdose deaths in medical marijuana, and marijuana legalized states is disingenuous and dangerous.

Regarding impaired driving, the National Highway Transportation Safety Administration (NHTSA), found drug use among fatally injured drivers who were tested for drugs rose from 25% in 2007 to 42% in 2016, and marijuana presence doubled in this time frame.^{vii}

Research from the *AAA Foundation for Traffic Safety* concluded that the number of drivers in Washington who test positive for marijuana after a fatal crash has doubled—from about 9% to about 18%—since the state legalized it in 2012.^{viii}

Coalition for a Drug-Free Hawaii

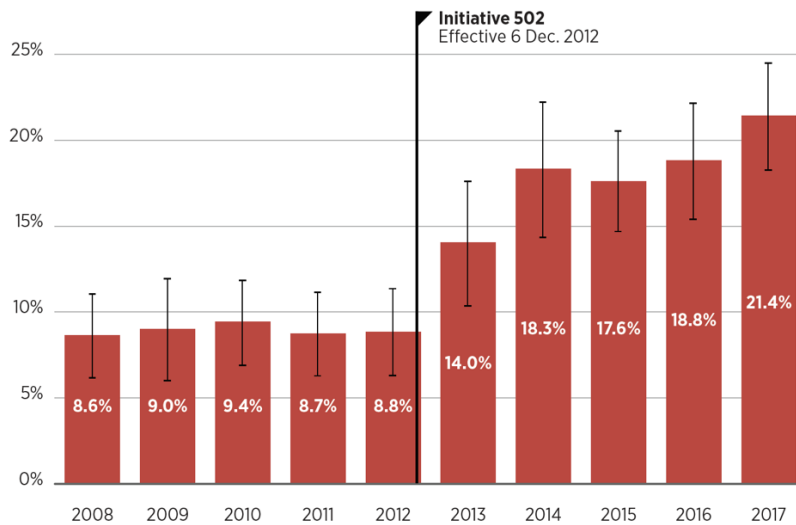


Figure 1. Estimated Percentage of Drivers Involved in Fatal Crashes Who Were THC-Positive, Washington State, 2008-2017.
Vertical bars represent 95% Confidence Intervals.

In light of these mixed messages, I appeal to the committees and the legislature to defer SB767, and rather support SB1010 which extends the time for the marijuana evaluation task force to submit its report to the legislature. Let's have the experts can officially weigh in on this important public policy.

Thank you for this opportunity to provide testimony on this important issue.

Respectfully,

Greg Tjapkes

ⁱ [https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366\(14\)70307-4/fulltext](https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366(14)70307-4/fulltext)

ⁱⁱ [https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366\(19\)30048-3/fulltext](https://www.thelancet.com/journals/lanpsy/article/PIIS2215-0366(19)30048-3/fulltext)

ⁱⁱⁱ <https://www.pnas.org/content/109/40/E2657> (Proceedings of the National Academy of Sciences)

^{iv} <https://www.drugabuse.gov/news-events/nida-notes/2020/06/parents-marijuana-use-may-increase-childrens-risk-of-marijuana-use-and-favorable-views-of-marijuana>

^v M. A. Bachhuber, B. Saloner, C. O. Cunningham, C. L. Barry, *JAMA Intern. Med.* 174, 1668–1673.

^{vi} <https://www.pnas.org/content/116/26/12624>

^{vii} https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/13839-drugged_facts_flyer_101918_v8_002.pdf

^{viii} <https://publicaffairsresources.aaa.biz/download/16405/>



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
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Phone (808) 532-6232
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hi.state@madd.org

March 3, 2021

To: Senator Karl Rhoads, Chair, Senate Committee on Judiciary; Senator Jarrett Keohokalole, Vice Chair; and members of the Committee

Senator Donovan M. Dela Cruz, Chair; Senator Gilbert S.C. Keith-Agaran, Vice Chair; and members of the committees

From: Carol McNamee and Arkie Koehl, Public Policy Committee - MADD Hawaii

Re: Senate Bill 767, SD1 – Relating to Cannabis

I am Carol McNamee, speaking on behalf of the Hawaii Chapter of Mothers Against Drunk Driving to **offer comments** concerning Senate Bill 767, SD1, Relating to Marijuana.

Approximately four years ago, the National MADD organization amended its mission by adding, “to help stop *drugged* driving” to the original “to end *drunk* driving.” This was a major step taken after over 10 years of evaluating the problem of impairment caused by substances other than, or in addition to, alcohol.

However, MADD, at the National and therefore also at the local level, does not have a specific position on the legalization or decriminalization of Marijuana. Thus, our testimony will be limited to sharing information and data relating to marijuana and highway safety.

In October, 2019, MADD Hawaii sponsored a conference on the subject of Drugs and Driving, focusing especially on drivers aged 16 to 28 because they seemed to be over-involved in local fatality and injury data. Speakers at the conference included a researcher and data analyst from the state of Washington, the Chief of Police from Loveland, Colorado who speaks at national conferences across the country, and the Director of the Department of Transportation from New Mexico. In addition, the conference included a discussion of drugs and driving by six local experts in the fields of highway safety, drug enforcement, and drug assessment and treatment. The goal of the conference was to better understand the issue of drugs and driving and then how best to educate members of the community who come into contact with teens and young adults.

Major points of the conference included:

1. Evaluating impairment relating to drugs is very different from measuring impairment by alcohol. There are no specific numbers to assess levels of impairment as there is with alcohol. However, law enforcement's highly trained drug recognition experts have the skills to assess an impaired person and determine the category of drug or drugs that have been ingested.
2. Hawaii's annual fatality statistics show an increasing number of traffic deaths connected to the presence of drugs. That includes marijuana. (*Hawaii Department of Transportation – Motor vehicle safety office*)
3. Motor vehicle crashes are the leading cause of death for U.S. teenagers. These young drivers are at-risk for crashes because of their inexperience. Alcohol, marijuana, and certain other impairing substances put them at even higher risk of being in a crash. (*CDC*)
4. Teens are more likely to drive under the influence of drugs than alcohol.
5. In 2016, FARS (The Fatality Analysis Reporting System of the National Highway Safety Administration – NHTSA), found that drugs were present in 43.6% of fatally injured drivers with a known drug test result – a major increase from 2005 when the drug presence was 27.8%. Marijuana was the most commonly found drug .
6. The combination of marijuana and alcohol can dramatically impair driving performance. (*Clinical Chemistry – 61, 850-869 Also found true in Washington State studies*) This combination is NOT uncommon. In fact, the following is a quote from a Hawaii journal of *Trauma Acute Care Surgical*:

“Our data confirm that over two thirds of fatally injured, THC-positive drivers also consumed alcohol. Alcohol exacerbates the neurocognitive effects of cannabis, particularly regarding impaired driving. This may contribute to the increasing rate of THC-associated fatalities in Hawaii.” (*May 2018*)
7. A September 2018 report from Colorado (*The Legalization of Marijuana in Colorado: The impact*) showed that:
 - Since recreational marijuana was legalized (2013), marijuana related traffic deaths increased **151 percent** while **all** Colorado traffic deaths increased **35** per cent.
 - Marijuana-related traffic deaths increased from **11.43** percent in 2013 to **21.3** percent in 2017.
 - A Colorado Department of Transportation survey found that 69 percent of self-identified marijuana users admitted to driving after consuming marijuana.

Thank you for the opportunity to submit this information.

SB-767-SD-1

Submitted on: 3/1/2021 3:38:40 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--------------------------------------|---------------------------|---------------------------|
| David Mulinix | Testifying for Our Revolution Hawaii | Support | No |

Comments:

Aloha Committee,

On Behalf of Our Revolution Hawaii's 7,000 members and supporters, we are in STRONG SUPPORT of passage of SB767. The benefits to our community to legalize the use, possession, and sale of cannabis, far outweigh any drawbacks. All data from states that have already legalized cannabis shows that legalizing, regulating, and taxing cannabis consumption and production at this point just makes sense.

Please vote for and pass SB767.

Mahalo for your kind attention,

Dave Mulinix

Hawaii State Community Organize

Our Revolution Hawaii



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University of Hawai'i at Hilo,
Department of Kinesiology
and Exercise Sciences*

*Garret Sugai
Kaiser Permanente*

Date: March 2, 2021

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Members of the Senate Committee on Ways & Means

Re: Opposition for SB 767 SD1, Relating to Cannabis

Hrg: March 3, 2021 at 9:45 AM via Video Conference

The Hawai'i Public Health Instituteⁱ takes no position on the legalization of recreational cannabis. However, we **Oppose SB 767 SD1** because of its lack of public health regulations needed to ensure that any legalization of cannabis would create the safest possible protections for our youth and the community-at-large.

A public health focused cannabis regulatory system should prioritize the following five goals:

1. Preventing youth cannabis use;
2. Reducing cannabis-related harms to individuals and communities;
3. Ensuring accurate information about the risks of cannabis use;
4. Controlling the prevalence, frequency, and intensity of cannabis use; and
5. Minimizing the influence of the cannabis industry and the profit motive in setting cannabis policies.ⁱⁱ

From a public health perspective, we are concerned that this bill places the regulatory authority under the Department of Taxation, rather than the Department of Health (DOH) as they are equipped with the public health knowledge, expertise, and experience with regulating medical cannabis to create regulatory structures that follow best-practice public health guidelines. The DOH's primary focus on health will ensure that the health and safety of the community is at the forefront of regulations of recreational legalization of cannabis. For this reason, **we strongly recommend that the "Department" overseeing the proposed Cannabis Program be the Department of Health.**

While we appreciate the regulatory rules named in the bill and believe that these regulations are necessary, the rules lack specifics to ensure they would prioritize public health and safety. Additionally, there are a number of other regulations should be included to ensure the safest possible protections. These additional regulations are specified below.

1. Limit the number of retail outlets to ensure there is no over-availability in any area and require distance near sensitive areas

Washington's outlet density rules restrict the total number of outlets allowed, and regulate license distribution according to consumption data maps (i.e. areas with lower consumption have lower number of outlets and vice versa)ⁱⁱⁱ. A lesson learned from the alcohol field is that restricting outlet density can prevent lower income neighborhoods from having high numbers of outlets located in their areas and thereby reduce the related harms associated with the exposure to excess outlet density.^{iv}

In addition to regulation on the number of retail outlets in any area, it is recommended that **distance requirements be established** near sensitive areas such as schools, parks, treatment and recovery centers/homes. While there is no specific distance that is recommended in the literature, Washington State's law created a default 1,000-foot buffer distance from youth-serving uses that include schools, playgrounds, recreational facilities, child care centers, and public parks.^v

2. Clear licensee guidelines that ensure proper oversight of production, transportation, and sale of cannabis

To ensure proper safety and oversight of cannabis production, transportation, and sale of cannabis, it is recommended that the State utilize the current model under the Medical Cannabis Dispensary program already established through the Department of Health. This model ensures proper testing of product, and tracks the product throughout the process from cultivation to sale.

3. Restrict cannabis products, packaging, and marketing that attracts youth

The most recent statewide Youth Risk Behavior Survey (2019) shows that 17.2% of all high school students in Hawai'i are current cannabis users^{vi}, while nearly 1 in 3 high school students (31.1%) report using cannabis at least once in their life.^{vii} These use rates suggest generally favorable youth attitudes toward cannabis use, and relative ease of access of cannabis for youth. Studies show that youth who use cannabis are more likely to drop out of high school, are more likely to experience mental health issues, and are more likely to become addicted.^{viii} As such, delaying the initiation of cannabis use by youth will decrease the potential for negative consequences associated with use.

Significant research in recent years establishes a link between alcohol and tobacco marketing exposure and youth consumption.^{ix}

Policy recommendations to reduce youth exposure to advertising include:

- Require products to be contained in generic packaging that uses only black lettering, contains no colors, pictures, cartoons, or images that might appeal to children and youth

- Prohibit cannabis advertising near youth-sensitive areas in the community (e.g., parks, schools, recreational facilities, public transportation, bus stops, etc.)

An important lesson from alcohol and tobacco policy is the need to monitor potentially harmful products allowed on the market that attract youth and make it easy for youth to consume.^x Once such products are introduced, it is very difficult to have them removed. This can clearly be seen by the current youth vaping epidemic Hawai‘i is experiencing.

Policy recommendations to prohibit products that appeal to youth and allow for easy youth use include:

- Prohibit products that appeal to youth include candies, candy bars, and lollipops
- Prohibit flavored e-liquids and juices for vaporizing devices

4. Minimize the influence of the cannabis industry and profit motive in setting cannabis policies

Numerous studies have documented the harmful influence of the tobacco and alcohol industry in setting policy guidelines on their respective commodities, so much so that the World Health Organization excludes the tobacco industry from policy discussions in setting global tobacco policy recommendations.^{xi} One way to ensure that public health and safety are priority in setting cannabis policy could be to create a **Cannabis Advisory Board** that provides input to the Department of Health regarding cannabis regulations and safety controls. The Advisory Board could include the Departments of Agriculture, Taxation, Labor, and a Stakeholder Group. Stakeholders could include the following groups with equal representation: county government, law enforcement, drug prevention coalitions, healthcare and hospitals, higher education, Chamber of Commerce, and public health policy experts.

5. Allow local counties to have regulatory control that is stricter than the state level

States with medical and non-medical cannabis laws vary widely in regards to the regulatory authority given to local jurisdictions. While some regulatory authority at the state level is necessary, lessons learned from the alcohol and tobacco field suggest that there are public health benefits in providing local jurisdictions with regulatory authority. It is critical to recognize that unique public health challenges that may arise within different counties, and giving counties the ability to respond to these challenges will ensure the health and safety of those local communities. Additionally, local law enforcement, first responders, and public health officials will be “front line” people addressing any adverse impacts of legalization, and will need the authority to create local solutions and mitigate any unforeseen problems, as needed. It is recommended that local counties be given regulatory authority to allow for stricter regulations than the state level.

6. Establish a clear taxation structure that ensures tax generation, establishes a price target that minimizes excessive use, and appropriates funding to offset the burden of cannabis misuse

Lessons learned from the alcohol and tobacco field show that raising prices decrease youth and adult consumption and related problems.^{xii} As such, it is recommended that cannabis prices be set high. However, they must not be set too high so as not to foster underground illegal markets. This can be accomplished by using taxation as a mechanism to achieve a

price target that is set high enough that it minimizes excessive use, but not so high that it encourages black market cultivation and sales.^{xiii} However, a further analysis would need to be completed that considers the black-market cost of cannabis and the cost of legal cannabis production to determine a price target.

In addition to establishing a price target, pricing policy could also include prohibiting free samples, discounts, giveaways, coupons so as not to foster “price wars” and foster excessive consumption.

It can be assumed that the legalization of cannabis will create financial and social burdens on the State. It is important to set up appropriations that offset this burden on the State. Recommendations include establishing special funding for prevention and treatment services, schools, public spaces, first responders, and behavioral health.

7. Consider smoke-free laws for public spaces, multi-family housing, workplaces, bars and restaurants

Similar to tobacco, research has found that there are several toxic compounds in cannabis smoke that can cause respiratory symptoms.^{xiv} Most states that have legalized recreational cannabis prohibit cannabis use in public spaces.^{xv} Much of this is in regards to the concerns of second-hand smoke. In addition to public spaces, consideration should be given to prohibiting cannabis smoking in multi-family housing where this is higher risk of exposure to second-hand smoke. Some states have adopted policy language that adds cannabis use to all of their clean-air and smoke-free tobacco laws.^{xvi} It is recommended that the State consider adding cannabis use to all current clean-air and smoke-free tobacco laws.

As of August 2019, California, Oregon, Washington, Massachusetts, and Colorado met criteria for being smoke-free in workplaces, restaurants, and bars.^{xvii} To minimize the risk of second-hand smoke and work-related accidents due to cannabis, it is recommended that Hawai'i follow this model in creating smoke-free workplaces, bars, and restaurants.

Many of these proposed regulations stem from lessons learned from the tobacco and alcohol field, as well as lessons learned from other states that have legalized cannabis for recreational use. In addition to the proposed regulations above, there are likely further regulations needed that need additional research (e.g. drugged driving laws). We hope that you find these recommendations helpful in ensuring that the health of our community is prioritized when creating policy. Should you have any questions, please do not hesitate to contact me.

Thank you for the opportunity to provide testimony.

Mahalo,

A handwritten signature in black ink, appearing to read "Richard Collins" followed by "CPS" in a stylized font.

Richard Collins, MS, CPS

Project Director

Rick@hiphi.org

-
- ⁱ Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations.
- ⁱⁱ Jernigan, D and Ramirez, R., *Cannabis Regulation* (unpublished). Draft shared with authors' permission, but not to further shared or publicized. 2020. Pg. 17
- ⁱⁱⁱ Caulkins, J., Kilmer, B., Kleiman, M., MacCoun, R., Midgette, G., Oglesby, P., . . . Reuter, P. (2015, January 16). Insights for Vermont and other states CONSIDERING marijuana legalization. Retrieved February 15, 2021, from https://www.rand.org/pubs/research_reports/RR864.html
- ^{iv} Morrison, C., Gruenewald, P., & Ponicki, W. (2015, May). Socioeconomic determinants of exposure to alcohol outlets. Retrieved February 15, 2021, from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4440301/>
- ^v Dilley, J.A., et al., Community-level policy responses to state marijuana legalization in Washington State. *Int J Drug Policy*, 2017. 42: p. 102-108.
- ^{vi} Centers for Disease Control and Prevention, Hawaii School YRBS 2019 Results. <https://nccd.cdc.gov/youthonline/app/Results.aspx?LID=HI>
- ^{vii} Hawaii Health Data Warehouse, State of Hawaii, Hawaii School Health Survey: Youth Risk Behavior Survey Module, [2017]. http://ibis.hhdw.org/ibisph-view/query/result/yrbs/DrugUseMarjEver/DrugUseMarjEver_HS_ST.html
- ^{viii} "What You Need to Know About Marijuana Use in Teens." Centers for Disease and Prevention Control, <https://www.cdc.gov/marijuana/factsheets/teens.htm>
- ^{ix} Anderson, A., de Bruijn, A., Angus, K., Gordon, R. Hastings, G. (2009). Impact of alcohol advertising and media exposure on adolescent alcohol use: A systematic review of longitudinal studies. *Alcohol & Alcoholism*; 44: 229-243.
- ^x Pacula, R., Kilmer, B., Wagenaar, A., Chaloupka, F., Caulkins, J. (2014). Developing public health regulations for marijuana: Lessons from alcohol and tobacco. *American Journal of Public Health*; 104(6): 1021-1028.
- ^{xi} World Health Organization, WHO Framework Convention on Tobacco Control. 2003, World Health Organization: Geneva, Switzerland.
- ^{xii} Wagenaar, A. Salois, M, Komro, K. (2009). Effects of beverage alcohol price and tax levels on drinking: A meta-analysis of 1003 estimates from 112 studies. *Addiction*; 104(2): pp. 179-190.
- ^{xiii} Caulkins, J., Kilmer, B., Kleiman, M., MacCoun, R., Midgette, G., Oglesby, P., . . . Reuter, P. (2015, January 16). Insights for Vermont and other states CONSIDERING marijuana legalization. Retrieved February 15, 2021, from https://www.rand.org/pubs/research_reports/RR864.html, pg. 110
- ^{xiv} National Academies of Sciences, Engineering, and Medicine. *The Health Effects of Cannabis and Cannabinoids: Current State of Evidence and Recommendations for Research*. Washington, DC: The National Academies Press; 2017.
- ^{xv} Kerry Cork, Tobacco Control Legal Consortium, *Toking, Smoking, and Public Health: Lessons from Tobacco Control for Marijuana Regulation* (2nd ed. 2018, 2015)
- ^{xvi} Marijuana smoke. (n.d.). Retrieved February 15, 2021, from <https://nonsmokersrights.org/marijuana-smoke>
- ^{xvii} Steinberg, J., et al., A Tobacco Control Framework for Regulating Public Consumption of Cannabis: Multistate Analysis and Policy Implications. *Am J Public Health*, 2019: p. e1-e6.



Submitted Online: March 2, 2021

Hearing: Wednesday, March 3, 2021

TO: [COMMITTEE ON JUDICIARY](#)
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

[COMMITTEE ON WAYS AND MEANS](#)
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

FROM: Eva Andrade, President

RE: Strong Opposition to SB 767 SD 1 Relating to Cannabis

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. As such, we have serious concerns about this bill and its ultimate ramifications on the wider community – especially with regards to our keiki. Although we leave the discussion as to the regulatory functions and applicability of its passage to the experts, allowing legal recreational marijuana is a serious and major policy change for our community. Significant to our concern is its potential impact on Hawaii's families although we acknowledge that opposite views exist in this regard and many studies have yielded mixed results.

A report released by the Youth Risk Behavioral Surveillance System on August 20 reported that 48.3% of high school students and 30.6% of middle school students surveyed in the state said they tried e-cigarettes at some point. The introduction to HB1328 (2021 – Hawaii) states that the “[r]esults from the 2019 Youth Risk Behavior Survey released by the Centers for Disease Control and Prevention showed an increase in youth e-cigarette use among high school students in Hawaii. Nearly one in three high school students, or roughly thirty-one per cent used e-cigarettes in the last thirty days, an increase from 25.5 per cent in 2017. Additionally, the percentage of frequent high school users doubled from 5.1 per cent in 2017.¹”

If the youth in Hawai'i are already dabbling in an illegal substance like vaping at such high rates, even with the attempt to provide deeper restrictions, do we really believe that marijuana will somehow escape their attention and use? The reason we should be concerned is that marijuana is a performance-degrading drug, so school aged keiki who access it will most certainly be put at a disadvantage. Although we acknowledge that marijuana dependence is reportedly not as debilitating as alcoholism, we do believe that legalization and the perceived societal acceptance is detrimental to the overall safety and wellbeing of our youth.

¹ https://www.capitol.hawaii.gov/session2021/bills/HB1328_.htm (accessed 02/13/21)



SB 767 SD1 Relating to Cannabis
Page Two

In fact, the use of edible products are just one of the ways that our youth could access marijuana in a seemingly innocuous manner and that could be a huge unintended consequence. Marketing for these products have almost always had a leaning toward the enticement of young people.

According to Jonathan P. Caulkins, “The Real Dangers of Marijuana,” (2019) [o]ne could speculate that legalization might make marijuana abuse and dependence less common, because generally healthy people will start to use occasionally, and that influx could dilute the proportion who abuse or are dependent. But one could just as easily speculate that legalization will bring more marketing, more potent products (like "dabs"), or products that are more pleasant to use (like "vaping" pens), any of which could increase the risk that experimenting could progress to problematic use. This is all speculation, of course. But what can be said empirically is that, within the context of aggregate use in the United States at this time, the best available data suggest that marijuana creates abuse and dependence at higher rates than does alcohol.²”

Let’s fix the vaping problem in Hawaii before we create a situation that may very well be exacerbated by legalized recreational marijuana.

Finally, family factors can serve both protective and risk functions in adolescents’ substance use. News stories showed clips of our keiki claiming they were able to access illegal substances because of an adult in their own family network. These same individuals have been the connection for their ability to gain easy access to marijuana purchased by adults for “medicinal” use.

The bottom line is that by legalizing the recreational use of marijuana, we believe it will affect adolescents’ use by increasing its availability through social connections, by creating a message within social norms that show marijuana use as a normal thing, and by reinforcing beliefs that marijuana use is not harmful. If marijuana possession and use is no longer a punishable offense it will be more readily available, as users of marijuana will no longer be deterred by fear of punishment. Surely Hawai’i deserves better than that!

Mahalo for the opportunity to submit our concerns.

² <https://www.nationalaffairs.com/publications/detail/the-real-dangers-of-marijuana> (accessed 02/14/21)



SB 767, SD 1, RELATING TO CANNABIS

MARCH 3, 2021 · SENATE JUDICIARY AND WAYS
AND MEANS COMMITTEES · CHAIRS SEN. KARL
RHOADS AND SEN. DONOVAN DELA CRUZ

POSITION: Support.

RATIONALE: Imua Alliance supports SB 767, SD 1, relating to cannabis, which legalizes the personal use, possession, and sale of cannabis in a specified quantity, requires licensing to operate cannabis establishments, and subjects cannabis establishments to excise and income taxes.

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, legalizing recreational cannabis usage 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.

Legalizing recreational cannabis could generate \$70-\$100 million in tax revenue annually for our state and produce substantial 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 criminal justice reform, legalizing cannabis is a step we must take.

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

SB-767-SD-1

Submitted on: 2/26/2021 5:39:50 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

support fully

SB-767-SD-1

Submitted on: 2/26/2021 7:40:22 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mike Golojuch, Sr. | Individual | Support | No |

Comments:

Please pass SB767. This bill brings us in the right direction to legalize cannabis for everyone who wants to use it.

Mike Golojuch, Sr.

SB-767-SD-1

Submitted on: 2/26/2021 9:00:13 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Thaddeus Pham | Individual | Support | No |

Comments:

Aloha JDC/WAM Committee,

As a public health professional and concerned citizen, I strongly support SB767 which would legalize the personal and taxable use, possession, and sale of cannabis in a specified quantity.

Many other states that have already legalized cannabis have demonstrated both health and economic gain, both of which are especially needed in the current COVID-19 climate.

Please pass SB767.

Thaddeus Pham (he/him)

SB-767-SD-1

Submitted on: 2/27/2021 10:28:15 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Joseph Kohn MD | Individual | Support | No |

Comments:

Strongly Support SB767

www.WeAreOne.cc

SB-767-SD-1

Submitted on: 2/27/2021 10:36:20 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| TOM DIGRAZIA | Individual | Support | No |

Comments:

Strongly support.

SB-767-SD-1

Submitted on: 2/27/2021 10:37:17 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Aloha,

Below are some comments that I believe can help strengthen this bill, but I'd like to make it clear from the outset that I strongly support SB767. Sensible drug policy, criminal justice and policing reform, promoting business and entrepreneurship, a revenue-generating tax in exchange for something people actually want — these are all solid reasons to support legalization of recreational and responsible cannabis by adults.

In terms of strengthening this bill, I would first amend Section 4, subsection (2) of the proposed Chapter (Section 2 of SB767), "Regulation of cannabis; rules." In keeping with the well-intentioned spirit of making cannabis business opportunities accessible, as mentioned at the start of § -4, I believe the \$5,000 application fee cap should be lowered. Since the proposal already provides for the ability to raise the fee in case of administrative needs, I propose the cap be lowered significantly, perhaps to \$2,500.

When it comes to employers and the workplace, I suggest amending § -5, Effect on employers, specifically subsection (2). If this bill is to make any sense and follow the same logic as its justification, we should not permit unfair discrimination against responsible adults who use cannabis during their time at home. While I understand it may take more specific language and that certain jobs may still mandate a zero-use policy, there are models in other states for legislation that accommodates off-the-job cannabis use, much like laws regarding alcohol consumption.

On a similar note, while separate legislation may be required to fully cover this, § -6, Effect on intoxicated driving laws, notwithstanding chapter 291E, may be improved if language is included that differentiates between noticeable, current intoxication as opposed to any blood or similar tests. This is a difficult subject to tackle, both legally and scientifically, but it is simply bad policy to allow for persecution based on numbers that may not reflect intoxication at the time of driving and arrest.

Lastly, regarding Section 4 of SB767, I hope this language does not preclude steps toward restorative justice. The introduction of this bill specifically points to the federal MORE Act, and I think it would be shameful if Hawai'i's legalization process makes a nod to expungement yet doesn't include efforts to reverse consequences of the failed War on Drugs. Separate orders and proper case prioritization by prosecutors can make

a big difference, but our legislative branch, if legalizing cannabis, should make clear that non-violent and low-level crime purely related to cannabis charges are no longer persecuted.

Thank you,

Dylan Ramos

96816

SB-767-SD-1

Submitted on: 2/27/2021 10:47:13 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Joe Dalessandro | Individual | Support | No |

Comments:

Aloha,

I fully support the legalizaton, regulation and taxation of cannabis in Hawai'i. The reality of cannabis in Hawai'i is that despite criminalization anybody can obtain it. The war on drugs has created the single most deadly side effect to drug use which is incarceration, it destroys families and impoverishes children. With the current state of budget shortfalls this represents a much healthier way of raising revenue for much needed programs than gambling.

Mahalo.

SB-767-SD-1

Submitted on: 2/27/2021 10:49:52 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kris Bordessa | Individual | Support | No |

Comments:

I am not a smoker. But I find relief from both pain and insomnia with edibles that include cannabis. It chagrins me that I either do without that relief, or try to acquire it illegally. I urge you to support SB767 and legalize cannabis for personal use and for sale in the state of Hawai'i.

The relief on a personal level will be huge for many people. Other people who already smoke weed illegally will continue to do so without risk of arrest. AND the state can begin to generate some much needed income via taxation of these products.

Arguments against legalizing cannabis often mention the dangers of operating machinery and driving while under the influence. Well, I call BS. Just as we have laws against driving while intoxicated (alcohol), so too should cannabis users be held to limitations.

It is archaic that Hawai'i hasn't already legalized the use of cannabis. It is time. Let's do it!

SB-767-SD-1

Submitted on: 2/27/2021 11:07:22 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| David Dinner | Individual | Support | No |

Comments:

This bill probably will not change the use of marijuana one iota, but it will put money in the State coffers and at least create a reasonable amount over the use and abuse of this drug. The experience of other states that have trailblazed this already is so positive that it confirms the wisdom of the bill. Please pass it.

SB-767-SD-1

Submitted on: 2/27/2021 11:10:15 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Valerie Weiss | Individual | Support | No |

Comments:

I support legal use of cannabis.

SB-767-SD-1

Submitted on: 2/27/2021 11:15:47 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Phil Robertson | Individual | Support | No |

Comments:

Honorable Members of the Hawaii State Senate Judiciary Committee:

I support the legislation to legalize cannabis sales here in Hawaii, as described in SB 767.

I oppose the expenditures of public monies to incarcerate people for cannabis offenses, when it has become obvious to most reasonable and prudent people that Harry Anslinger, Drug Czar from 1930 until 1963, lied to Congress in 1937 to make the marijuana illegal. Read Anslinger's testimony yourselves at: hempfarm.org. As a jury foreman, I do not believe the testimony.

I believe the research such as the LaGuardia Report by the New York Academy of Medicine, published in 1944, and concluded that marijuana was not addictive and that marijuana could be used for periods of years and have no physical or mental deterioration which may be attributed to the drug. An addictive drug produces great discomfort when withdrawing from the use thereof; marijuana is not addictive.

I have been publicly critical of the federal Drug Czars on the local newspapers editorial pages since 1978.

I think it constitutes bad karma and poor public policy to continue to punish people for marijuana or cannabis with incarceration, when the laws are based on lies which the jury pool mostly does not believe anymore.

Furthermore, I think many people have misspoken about cannabis in the past, please let us all try to move forward and improve our society.

As recently as 2015, I had jury duty in Circuit Court with Judge Karen Ahn (now retired) and the charge against the homeless person was a felony marijuana charge. This time on jury duty, I raised my hand to tell Judge Ahn that I did not think I could be fair and impartial as a juror in the case and requested to be excused. I was a jury foreman in another case with Judge Steven Alm, who is now the prosecutor.

Thank you for giving me this opportunity to testify on this legislation.

Phil Robertson

SB-767-SD-1

Submitted on: 2/27/2021 11:16:43 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I support this bill. Cannabis, and those who choose to partake, have been demonized and penalized for far too long. Its medical benefits are well documented.

SB-767-SD-1

Submitted on: 2/27/2021 11:24:35 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Legalization for a medicinal herb is long over due. Plus it makes financial sense.

SB-767-SD-1

Submitted on: 2/27/2021 11:35:40 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

It's 2020, and time to legalize this healing plant! I'm quoting below some of the testimony from Young Progressives Demanding Action. They did their research and brought up some very good points, of which I'm just including a few:

"Over the past 40+ years since Ronald Reagan declared the "War on Drugs," the United States has fought a losing campaign to end domestic drug use that has cost almost \$1 trillion and resulted in over 40 million arrests with nothing constructive to show for it. Instead, we have allowed this misguided campaign to consume law enforcement resources and destroy countless lives. Between 1990 and 2010, the "War on Drugs" 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 cannabis offenses, and a 52 percent increase in the number of people in state prisons for drug offenses. The racist policies that undergird the "War on Drugs" have meant that a disproportionate amount of its devastation impacts communities of color. 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. While costing billions of dollars, the "War on Drugs" has also degraded the nation's social and public health infrastructure, while failing to have any marked effect on the use or availability of drugs. Indeed, the United States is now the world's largest consumer of illegal drugs.

Cannabis has legitimate medicinal value. Studies are starting to show cannabis's potential in shrinking aggressive cancerous brain tumors. Furthermore, a recent study found that treating epilepsy and other seizure disorders with CBD reduced seizures by 54 percent. Use of THC reduced spasticity in sufferers of multiple sclerosis by 30 percent. Cannabis may also reduce depression and relieve anxiety.

Revenue from regulating cannabis sales has been put to immense social good: •Colorado distributed \$230 million to the Colorado Department of Education between 2015 and 2017 to fund school construction, early literacy, bullying prevention, and behavioral health. •Oregon allocates 40 percent of cannabis tax revenue to its state school fund, depositing \$34 million into the fund so far. The state also distributes 20 percent to alcohol and drug treatment. •Nevada's 15 percent wholesale tax was projected to bring in \$56 million between 2018–20 to fund state schools. •Washington dedicates 25 percent to substance use disorder treatment, education and prevention.

The state also distributes 55 percent of its cannabis tax revenues to fund basic health plans. •Alaska will collect an estimated \$12 million annually, which will fund drug treatment and community residential centers. •Massachusetts and California, by statute (M.G.L.A. 94G § 14(b)(v); Cal. Rev. & Tax. Code § 34019(d)), will invest a share of their cannabis tax revenues in the communities most adversely impacted by drug arrests and incarceration, particularly low-income communities of color, to help repair the harms of unequal drug law enforcement."

It's time to stop criminalizing the cultivation and use of this medicinal plant. Prohibition did not work for alcohol which is actually harmful and addictive, where this plant is not. And it will not work for this either. Look at the states that have legalized it - crime rates are down, and income is up, able to fund schools and programs to help people. It will provide more jobs. And Hawaii can grow the best of the best. It could surpass tourism in bringing in income.

Thank you for taking the time to read and consider this.

Sherry Pollock, Anahola, HI

SB-767-SD-1

Submitted on: 2/27/2021 11:37:02 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I support this measure for our economy.

SB-767-SD-1

Submitted on: 2/27/2021 11:49:18 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

SUPPORT

SB-767-SD-1

Submitted on: 2/27/2021 11:58:18 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rona Bennett | Individual | Support | No |

Comments:

I support this bill. I believe the tax revenue we can earn by doing this will help the state fund other projects. It would be very profitable for Hawaii.

SB-767-SD-1

Submitted on: 2/27/2021 12:28:50 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Support. Cannabis should be decriminalized and legalized as many other states have already done while similar federal legislation is also pending. Establishing a local agriculture crop would boost local economy and provide additional tax revenue.

SB-767-SD-1

Submitted on: 2/27/2021 12:32:31 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Brianna Ansley | Individual | Support | No |

Comments:

To who it may concern, I support thr passing of Bill SB767.

SB-767-SD-1

Submitted on: 2/27/2021 12:46:38 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I am strongly in Favor of this bill. Cannabis is a medicinal drug let's start giving it the respect it deserves instead of making criminals out of those that use it.

SB-767-SD-1

Submitted on: 2/27/2021 1:21:32 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Allison Jacobson | Individual | Support | No |

Comments:

My name is Allison Jacobson and I am writing today in support for SB767 SD1.

Our state will benefit from the passing of this bill in a myriad of ways. It will bring more revenue, allow law enforcement to focus on more important things, and give people the choice that they deserve when it comes to cannabis.

Thank you for the opportunity to testify in support for this bill,

Allison Jacobson

adnojacobson@gmail.com

96703

SB-767-SD-1

Submitted on: 2/27/2021 1:51:44 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mark Enomoto | Individual | Support | No |

Comments:

I have a 329 card to obtain CBD for chronic joint pain due to arthritis. I also am a caregiver for my aunty who suffers from chronic back pain as she is over 80 years old. Cannabis does work and it is no worse than alcohol that causes more deaths yet is open to purchase and consumption.

This would also kill the illegality of it and drug trafficking.

SB-767-SD-1

Submitted on: 2/27/2021 2:14:13 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dennis O'Shea | Individual | Support | No |

Comments:

It is long overdue to decriminalize marijuana/cannabis in Hawaii.

Let's do it now.

SB-767-SD-1

Submitted on: 2/27/2021 2:27:36 PM

Testimony for JDC on 3/3/2021 9:45:00 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-767-SD-1

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

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dee Green | Individual | Support | No |

Comments:

I support this bill. We should decriminalize and legalize the personal use, possession, and sale of cannabis.

SB-767-SD-1

Submitted on: 2/27/2021 3:04:22 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Chezlani Casar | Individual | Support | No |

Comments:

I support this bill, as I would any measure that legalized cannabis, because it is an extremely beneficial and useful plant. People have been using it for thousands of years for a variety of reasons, and the equality of our society has been hamstrung by the fact of it being illegal. No one should be in jail for simply using a plant. The very idea is rather ridiculous.

Please follow the lead of many other states and nations (although Hawaii should and could have been a leader in this arena), and stop prosecuting the use of a peaceful, medicinal herb.

Mahalo.

SB-767-SD-1

Submitted on: 2/27/2021 3:12:33 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| cheryl B. | Individual | Support | No |

Comments:

Support

SB-767-SD-1

Submitted on: 2/27/2021 3:20:44 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Aloha

Daniel Bishop in Strong Support

Mahalo

SB-767-SD-1

Submitted on: 2/27/2021 3:44:34 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

The sale of marijuana, like the sale of alcohol, food, and drugs, should be taxed fairly. the state could benefit from the tax revenue of Cannabis sales. Making this a ligament business and regulating and taxing medical-grade cannabis like pharmaceutical drugs, and recreational cannabis like alcohol, makes the most sense to me.

SB-767-SD-1

Submitted on: 2/27/2021 3:46:01 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dan Gardner | Individual | Support | No |

Comments:

This legislation is long overdue and should be passed. Many States have successfully undertaken this initiative with success far out weighing any downsides. It's time to believe the Science and current data and move away from the "reefer madness" of the 20th Century. Please pass this legislation.

SB-767-SD-1

Submitted on: 2/27/2021 3:56:13 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

If done properly, this could help the state with more revenues & law enforcement could be freed up to deal with far more serious issues.

SB-767-SD-1

Submitted on: 2/27/2021 4:30:41 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

It is time for Hawaii to join the many states and countries that have decriminalized marijuana. If tobacco and alcohol are legal, then marijuana should also be legal. It is less harmful than tobacco or alcohol.

SB-767-SD-1

Submitted on: 2/27/2021 7:12:57 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rick Gerding | Individual | Support | No |

Comments:

The war on drugs is over and it's time to move Hawaii into the 21st century. Tax income alone make this a smart decision. Take the pressure off our police department, jails and courts. Our year around growing season make this and hemp products the much smarter move than GMO Corn etc.

SB-767-SD-1

Submitted on: 2/27/2021 8:25:17 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Hi Joan here from West Hawaii supporting SB 767. I support the personal use, possession, and sale of cannabis.

Thank You

Joan Gannon

SB-767-SD-1

Submitted on: 2/28/2021 12:45:47 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I think it is important for our Social Health and Welfare to make cannabis really available for those who desire it for whatever purpose.

SB-767-SD-1

Submitted on: 2/28/2021 1:01:51 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--|--------------|--------------------|--------------------|
| Minister, Hector Hoyos (aka) SisterFace | Individual | Support | No |

Comments:

I, Minister Hector Hoyos (SisterFace)

Fully Support SB767 SD1 & All Marijuana Legalization For The State Of Hawaii! It's long overdue & we are falling behind, the people of Hawaii & state government have many ways they can all grow & profit, everyone should have this chance however you all structure it, from the single home producer, edible baker, or the chef etc along with your bringer businesses can thrive and build together, that is one of the most important things about full legalization & you must continue to protect your actual 329 patients also, Mahalo's

PS= I wrote a much better lengthy testimony but this state system rejected or went and closed why was putting together, might wanna let ur programmers know, regardless, I loudly support bill.

SB-767-SD-1

Submitted on: 2/28/2021 3:37:29 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Duane Sosa | Individual | Support | No |

Comments:

Aloha!!!

My name is Duane Sosa. I am humbly submitting testimony in SUPPORT of SB767 SD1. The decriminalization of Marijuana in Hawaii has been long overdue.

Mahalo

SB-767-SD-1

Submitted on: 2/28/2021 7:00:28 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Joan Lander | Individual | Support | No |

Comments:

I support SB767 SD1

SB-767-SD-1

Submitted on: 2/28/2021 10:02:15 AM

Testimony for JDC on 3/3/2021 9:45:00 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 campaign contributing pharmaceutical companies to build themselves a govt backed monopoly on medicine.

SB-767-SD-1

Submitted on: 2/28/2021 10:19:54 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Lets not be the last state to do this, I believe places where it is legal have less use than where it isn't becuae the allure is gone. Generate some much needed tax revenue!
Geof Walker

SB-767-SD-1

Submitted on: 2/28/2021 10:33:44 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| tlaloc tokuda | Individual | Support | No |

Comments:

Amount spent annually in the U.S. on the war on drugs: **\$47+ billion**

Number of arrests in 2018 in the U.S. for drug law violations: [1,654,282](#)

Number of drug arrests that were for possession only: [1,429,299](#)

Number of people arrested for a marijuana law violation in 2018: [663,367](#)

Number of those charged with marijuana law violations who were arrested for possession only: [608,775](#)

Percentage of people arrested in 2017 for drug law violations who are Black: [27%](#) (despite making up just 13.4% of the U.S. population)

Number of people in the U.S. incarcerated in 2016: [2.3 million](#) – the highest incarceration rate in the world

Annual budgetary gains that could be generated by legalization of all drugs: [\\$106.7 billion](#) (\$19 billion in state and local tax revenue; \$39 billion in federal tax revenue; plus saving \$47 billion on prohibition enforcement).

The War on Drugs has been a great failure and all the initiatives to ***get tough on drugs*** has been a way of locking up the poor and people of color (Hawaiian's incarceration rates are the highest of any ethnic group in USA). This law is a very good start towards decriminalization. A good idea whose time has come.

Mahalo for your consideration,

Tlaloc Tokuda

Kailua Kona, HI 96740

*data from Drug Policy Alliance from official records

SB-767-SD-1

Submitted on: 2/28/2021 10:59:19 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I strongly support this bill.

SB-767-SD-1

Submitted on: 2/28/2021 11:04:41 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Carla Allison | Individual | Support | No |

Comments:

My name is Carla Allison I support SB767. It is time for Hawaii to move forward, learn from other states and develop a legal cannabis industry in our state. Please support SB767. Thank you

SB-767-SD-1

Submitted on: 2/28/2021 11:50:29 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

As a tax payer with a medicinal marijuana license, the structure of our current marijuana legislation still forces undue economic and emotional stress. A full legalization of marijuana and taxation of it could be a self sustaining economic and environmental future.

SB-767-SD-1

Submitted on: 2/28/2021 11:53:57 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| jeanne lindgren | Individual | Support | No |

Comments:

Dear committee members,

Mahalo for the opportunity to voice my support of SB 767. I believe this to be the correct course of action for our state to take in regard to cannabis use and licensing.

Sincerely,

Jeanne Lindgren

jmlmilkyway@gmail.com

SB-767-SD-1

Submitted on: 2/28/2021 12:30:49 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Halley Archbold | Individual | Support | No |

Comments:

As a citizen of this great state, I want to state that this is in Hawaii's best interest. The taxes from legal and recreational cannabis would help us be less reliant on tourism to keep our economy afloat.

SB-767-SD-1

Submitted on: 2/28/2021 1:28:11 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

the human body has a cannabinoid system. it is called the calming system. my sister healed herself of 4th stage cancer with cbd oil. after all doctors approach failed. for hundreds and hundreds of years cannabis was part of apothecary cubbard. only since advent of corporate pharmaceuticals and the FDA that they now own, has it been made illegal. maybe that's becasue the USA owns all the patents and they aren't selling them to big pharma??? who knows. do the pono thing and vote for decrimilization and personal use, etc. and just think, then you can continue to use it without looking over your shoulder or paying your police officer cousin...ha!) Mahalo!

P.S. watch Weed the People on Netflix.

SB-767-SD-1

Submitted on: 2/28/2021 1:51:30 PM

Testimony for JDC on 3/3/2021 9:45:00 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-767-SD-1

Submitted on: 2/28/2021 1:55:15 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I support SB 767. Making cannabis legal for personal use, to possess and sell cannabis will bring in tax dollars instead of depleting tax paying dollars. Legalizing cannabis should reduce the negative socio-economic impact it has on our courts & criminal system plus the health and stigma of community populations associated with its use. I have heard from those who reside in states where cannabis is legal that it has not resulted in flagrant public use or abuse. Now is the time to legalize marijuana in Hawaii.

SB-767-SD-1

Submitted on: 2/28/2021 2:38:09 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Vickie Parker Kam | Individual | Support | No |

Comments:

Dear esteemed members of the committees,

My name is Vickie Parker Kam and I am writing in support of SB767 SD1.

As time goes by, society changes. The justification for legalizing the personal use and possession of cannabis has been proven by health benefits, less costly convictions for personal use, and increase in tax revenue in other states such as Colorado and California.

Legislating the sale of cannabis in a specified quantity allows for control of the product and has the potential to reduce illegal activity which frequently has dangerous elements. Required licensing to operate cannabis establishments also supports small business enterprises and subjects cannabis establishments to excise taxes and income taxes which benefit the state revenue and can help address budget concerns.

As a constituent shared with me this week, it is time. It is past time.

Mahalo for the opportunity to testify in support for SB767 SD1.

Vickie Parker Kam

vlpkam96707@gmail.com

96707

SB-767-SD-1

Submitted on: 2/28/2021 3:11:58 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Aloha,

I strongly support SB767 SD1. Important revenue is being left in the hands of those who flaunt the rules instead of the State which needs the financial resources to fund our failing and underfunded public schools.

This is safely done in States throughout the continent. It's not new legislation and for whatever reasons it has failed in the past, there is no excuse now.

The time is NOW to legalize Cannabis consumption, possession and the sale for adults in Hawai'i.

Don't be the last State to see the important benefits of this added revenue stream. Tourism will benefit as well. People who visit from State where it's legal don't want to fly with it. That forces them to buy it here in the islands in parking lots and bars from who know who.

There is no need for this. Time to legalize Cannabis now!

Mahalo,

Ms. Barbara Barry

Maui

SB-767-SD-1

Submitted on: 2/28/2021 5:34:38 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Aloha Senators,

I fully support SB 767.

Mahalo,

Michael Golojuch, Jr.

SB-767-SD-1

Submitted on: 2/28/2021 6:28:14 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

As Oregon, Washington, Colorado and other states have shown, legalizing the personal use, possession and sale of cannabis not only reduces pressure on our justice system, treats people as adults, capable of deciding what is good for their wellbeing, and even boosts the economy as taxes can be collected on legal sales.

SB-767-SD-1

Submitted on: 2/28/2021 6:28:45 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Decriminalization of marijuana is long overdue. Time has come to stop the damage done to so many lives from the so-called war on drugs.

SB-767-SD-1

Submitted on: 2/28/2021 6:40:31 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

legalize and collect billions in tax revenue like other states that learned quickly how to pay the bills.

SB-767-SD-1

Submitted on: 2/28/2021 7:26:32 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I live in Pahoa HI and am in support of SB767

SB-767-SD-1

Submitted on: 2/28/2021 7:30:46 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Support.

SB-767-SD-1

Submitted on: 2/28/2021 8:11:11 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I strongly support SB767 and believe that this bill represents a positive step forward toward not only decriminalizing cannabis but even harnessing cannabis as a powerful economy for Hawai'i.

SB-767-SD-1

Submitted on: 2/28/2021 8:19:15 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I strongly **SUPPORT** SB767 SD1 for the following reasons:

- **Prohibition has completely failed to reduce marijuana use.** Despite the fact that police departments have made aggressive enforcement of marijuana laws an increasing priority and states have spent billions of dollars on such enforcement, it has failed to diminish marijuana’s use or availability.
- **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%, 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% of all drug arrests in the United States.
- **Prohibition 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% 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. Legalization is the smartest and surest way to end targeted enforcement of marijuana laws in communities of color.
- **Marijuana is more than 100 times safer to use than alcohol.** In a comparative analysis on the risks of recreational drugs, alcohol was the top contender, while cannabis was considered the lowest risk. There has also never been any recorded case of someone overdosing solely from cannabis.
- **Marijuana has legitimate medicinal value.** We must not forget about the medicinal aspects of the industry when talking about legalization.
- **Youth marijuana use rates have remained stable.** Since adult-use recreational cannabis was legalized in Colorado, many feared that it would lead to increased consumption among youth. In fact, legalization has had the exact opposite effect: due to education and regulations restricting use to adults, the percentage of teenagers in Colorado using cannabis has been steadily dropping from 22% to

20% between 2011 and 2013, and remains below the national average of 23.4%.

- **Legalization has not made our roads less safe.** The total number of arrests for driving under the influence of alcohol and other drugs has declined in Colorado and Washington, the first two states to regulate marijuana for adult use. There is no clear correlation between marijuana legalization and crash rates. The crash rates in both states are statistically similar to comparable states without legal marijuana.
- **Legalization has not resulted in a public health crisis.** Calls to poison control centers and visits to emergency departments for marijuana exposure remain relatively uncommon. In Oregon, less than 1% of calls to the state's poison centers in 2016 were related to marijuana exposure. In Colorado, a mere 0.04% of the state's 2.3 million emergency department visits in 2014 were for marijuana exposure.
- **Marijuana legalization is linked to lower rates of opioid related harm.** Early studies have revealed a correlation between states with access to medical and adult-use recreational marijuana and lower rates of opioid overdose mortality (M.D. Livingston et al., "Recreational cannabis legalization and opioid-related deaths in Colorado, 2000-2015," *American Journal of Public Health*, 107, No. 11, November 2017, p. 1827-1829). This analysis of opioid overdose deaths in Colorado found that, after marijuana was legalized for adult use, there was a reduction of 0.7 deaths per month in the state and that the decades-long upward trend of overdoses began to decline after 2014, the first year of marijuana retail sales in the state. In states with legal access to marijuana, overdose death rates are almost 25% lower than in states with no legal access, and the reductions in overdose death rates have strengthened over time (M.A. Bachhuber et al., "Medical cannabis laws and opioid analgesic overdose mortality in the United States, 1999-2010," *JAMA Internal Medicine*, 174, 10, 2014, p. 1668-1673). Legal access to marijuana has been associated with a 23% reduction in opioid dependence or abuse-related hospitalizations and 15% fewer opioid treatment admissions.
- **Legalization will save states hundreds of millions of dollars.** 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. It is yet unknown how much reductions in opioid use will save states in long-term medical costs.
- **Legalization will generate hundreds of millions more in new revenue.** Marijuana sales in Washington generated \$315 million in tax revenues in the 2016-17 fiscal year, and \$70 million in Oregon, more than double the predicted revenue. Since sales began in Colorado in 2014, the state has collected almost \$600 million in revenue. A 2010 paper from the libertarian Cato Institute found that universally legalizing marijuana would net all levels of the government \$17.4 billion annually—half of that would come from reduced spending and costs

(particularly for drug enforcement), and the rest would come from taxing marijuana like alcohol and tobacco, and from new economic activity.

- **Revenue from regulating cannabis sales has been put to immense social good.** Colorado distributed \$230 million to the Colorado Department of Education between 2015 and 2017 to fund school construction, early literacy, bullying prevention, and behavioral health. Oregon allocates 40% of marijuana tax revenue to its state school fund, depositing \$34 million into the fund so far. The state also distributes 20% to alcohol and drug treatment. Nevada's 15% wholesale tax is projected to bring in \$56 million over the next two years to fund state schools. Washington dedicates 25% to substance use disorder treatment, education and prevention. The state also distributes 55% of its marijuana tax revenues to fund basic health plans. Alaska will collect an estimated \$12 million annually, which will fund drug treatment and community residential centers. Massachusetts and California, by statute (M.G.L.A. 94G § 14(b)(v); Cal. Rev. & Tax. Code § 34019(d)), will invest a share of their marijuana tax revenues in the communities most adversely impacted by drug arrests and incarceration, particularly low-income communities of color, to help repair the harms of unequal drug law enforcement.
- **A legal cannabis industry would create thousands of new jobs.** Preliminary estimates suggest that the legal marijuana industry already employs between 165,000 to 230,000 full-and part-time workers across the country. Colorado has created 10,000 new jobs in the legal cannabis industry since 2014, boosting the economy and contributing to a lowering of the unemployment rate to just 6%, making it one of the lowest in the nation.
- **A legal cannabis industry would undercut the black market.** Mexican cartels were once the top suppliers of cannabis to the United States but, since legalization has swept across four states and Washington, D.C., the amount seized by the U.S. Border Patrol has dropped 24% in the past year, and the price of Mexican-grown cannabis has dropped from \$90 down to \$30 per kilogram, dramatically reducing the profitability of illegal activity. Legalization brings proper regulation and infrastructure, and ushers in potency testing, product variety, warning labels, and overall peace of mind for the consumer.

SB-767-SD-1

Submitted on: 2/28/2021 8:32:25 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I support this bill.

SB-767-SD-1

Submitted on: 2/28/2021 8:38:37 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| chandra radiance | Individual | Support | No |

Comments:

Vote to Legalize growing, selling and consumption of cannabis!

SB-767-SD-1

Submitted on: 2/28/2021 9:32:39 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I support the legalization of personal use, possession, and sale of cannabis.

Thank you,

Andrea Morgan

SB-767-SD-1

Submitted on: 2/28/2021 9:57:22 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Aloha, I support the legalization of marijuana. It is considered to be medicine but yet you can still get arrested for it? If it is legal for some purposes and helpful then it should be legal for all. Many states have legalized it and actually created alot of revenue for their state. Even hemp has been restricted for sales in Hawaii and that should be changed as well. Thank you, Brandi Corpuz (Kihei, Maui)

SB-767-SD-1

Submitted on: 2/28/2021 10:01:38 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

please equalizes the personal use, possession, and sale of cannabis in a specified quantity.

SB-767-SD-1

Submitted on: 2/28/2021 10:17:27 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I support the legalization and possession of cannabis for personal use.

SB-767-SD-1

Submitted on: 2/28/2021 10:37:01 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Zack Stoddard | Individual | Support | No |

Comments:

Legalizing cannabis will save us money on enforcement and generate tax money.
Legalization has not had negative effects on public health.

SB-767-SD-1

Submitted on: 2/28/2021 11:39:45 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Please support this bill.

SB-767-SD-1

Submitted on: 3/1/2021 1:39:47 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Support

SB-767-SD-1

Submitted on: 3/1/2021 1:46:57 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Barryn Chun | Individual | Support | No |

Comments:

As a lifetime resident of Hawai`i, I wholeheartedly support cannabis legalization. No adult should face prison time and a criminal record for possession of cannabis, a substance that doesn't even seem to have as bad of an effect as alcohol, at its worst. Legalization is something that cannot wait, hence another person ends up in the criminal justice system for *something that should not be a crime in the first place*.

SB-767-SD-1

Submitted on: 3/1/2021 3:27:09 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Please let Hawaii join the 15 other states and legalize marijuana use.

SB-767-SD-1

Submitted on: 3/1/2021 8:24:28 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Testimony in support of SB 767. The legalization of cannabis is long overdue in Hawai'i, and the income that would be generated for our state is much needed in these lean economic times.

SB-767-SD-1

Submitted on: 3/1/2021 9:01:42 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Aloha,

Please forgive my brevity as this bill is worthy of so much more discussion than I can offer due to time restraint. I have only just been made aware of this bill moving forward but I fully support the decriminalization of cannabis.

Mahalo,

Lorraine Newman

SB-767-SD-1

Submitted on: 3/1/2021 9:19:45 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Strong support!

SB-767-SD-1

Submitted on: 3/1/2021 10:03:06 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Please legalize cannabis under the restrictions and regulations described in this bill. We already know from states on the Mainland that this can be done without ill effects. Pakalolo has been in widespread use since my youth in the late 60s and 70s. It's time to make it legal and regulate it. Prohibition of alcohol worked against the goals of its legislation, and the same is true of marijuana prohibition. Taxing cannabis will also bring us needed tax revenue. Mahalo. (From an O'ahu resident since 1963 who has voted in every election since I turned 18.)

SB-767-SD-1

Submitted on: 3/1/2021 10:03:22 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I am in support of SB767. Marijuana in a bud form is a safe alternative to pharmaceuticals. It should be completely legal. I do believe that edibles should be regulated and taxed accordingly through dispensaries.

SB-767-SD-1

Submitted on: 3/1/2021 11:39:45 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Strongly Support! **We need the money!**

SB-767-SD-1

Submitted on: 3/1/2021 12:06:23 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jacob B Shearer | Individual | Support | No |

Comments:

Aloha mai,

It is time for the state of Hawai'i to take a progressive action that has been taken in 16 other states and territories. Prohibition on cannabis has done nothing to reduce cannabis use, and instead has lead to over-criminalization and contributed to the racist problems of mass incarceration and over policing in the state. Cannabis is not only safer for recreational use than alcohol and tobacco (both legal), it is also a vital medicine which today is available only to a small number of patients with very specific needs and access to specific doctors. Beyond the problems that crimilaization has created, legalization would undercut illegal trafficking and the black market, create a huge number of LEGAL jobs, and create a massive source of tax revenue for the state, which could be put to use funding any number of social programs.

This is a no brainer; our community supports legalization of this plant for recreational use, and the evidence from other legal states makes the benefits clear.

Mahalo.

SB-767-SD-1

Submitted on: 3/1/2021 12:57:52 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Rosa McAllister | Individual | Support | No |

Comments:

Aloha Chairmen and members of the Judiciary and Ways and Means Committees, My name is Rosa McAlister and I am a resident in Honokowai, maui. I am in favor of SB767 -- a bill that Legalizes the personal use, possession, and sale of cannabis in a specified quantity. This will require licensing to operate cannabis establishments and subjects cannabis establishments to excise taxes and income taxes. This bill is very important for various reasons including the following: 1. Substantial new source of state tax revenue; 2. New, sustainable source of employment; 3. Keeps agricultural land in agriculture; 4. Provides welcome for our visitors who come from California, Oregon, Washington, Canada and the other states that have legalized; 5. Frees law enforcement to go after violent offenders; 6. Lowers the population of incarcerated persons and clears the records of persons who never should have been incarcerated in the first place.

As the first state to legalize medical marijuana, Hawaii was a trailblazer in the movement to raise the level of consciousness in the country about the efficacy of what has been unbelievably equated as a dangerous drug since Prohibition and adversely impacted the lives of untold multitudes of persons. Hawaii should join the other states that have legalized recreational adult use of cannabis. Mr. Chairmen and ladies and gentlemen of these committees. please vote in favor of this bill.

Rosa C. Mcallister

TO: COMMITTEE ON WAYS AND MEANS and COMMITTEE ON JUDICIARY

FROM: Wendy Gibson-Viviani RN/BSN

RE: SB767 (In **Support** of legalization of Cannabis for Personal Use)

Hearing: Wednesday, March 3, 2021 at 9:45 a.m. via Conference Room 211 & Videoconference

Dear Senate Chairs: Karl Rhoads, Chair, Senator Donovan M. Dela Cruz; Vice Chairs Senator Jarrett Keohokalole and Senator Gilbert S.C. Keith-Agaran and Honorable Members of the Committees,

In 1971 Richard Nixon declared drug abuse to be “Enemy number ONE” and launched a vicious, racist War on Drugs—now known as a War on People who use marijuana. It specifically targeted Nixon’s enemies: Vietnam War protesters and black people. The Schedule I drug assignment (in the Controlled Substance Act) was never based upon public health or safety issues. It was not based upon any science about the habit-forming, yet non-toxic plant, Marijuana.

In 2011, the Global Commission on Drug Policy said that the decades-old "global war on drugs has failed, with devastating consequences for individuals and societies around the world." And that “**governments should explore legalizing marijuana** and other controlled substances”. <https://www.globalcommissionondrugs.org/reports>

Starting in 2012, States in the U.S.A. have been legalizing marijuana for adult use. To date, 15 States, Washington D.C, Guam, and the Northern Mariana Islands have authorized adult use legalization. The entire countries of Canada, Mexico and Uruguay have too. Nearly every State in the US allows for some type of medical use.

Prohibitionists have been raising alarms about addiction, brain damage, schizophrenia, madness leading to violence, death from motor vehicle accidents and medical emergencies of all sorts. They predicted a rise in use by youth and justify keeping it illegal in an effort to “save the children”. This drum-beat of claims has been around since the 1920s, yet as rates of marijuana use continually climb, the rates of schizophrenia and use by youth rates have stayed fairly stable.

I believe that this **failed** war on drugs has led to more collateral damage to society than actual use of the drugs has. It is a violent, racist war with huge, devastating, unintended consequences.

The War on Drugs has failed to meet any of its stated objectives to reduce supplies (or demand) and to keep marijuana away from youth. Surveys tell us that 70% of young adults who wish to have access to marijuana currently can get access to it.

The Global Commission on Drug Policy suggested that: Instead of punishing users who the report says, "do no harm to others", governments should end criminalization of drug use, experiment with legal models that would undermine organized crime syndicates and offer health and treatment services for drug-users in need. The commission called for drug policies based on **methods empirically proven to reduce crime, lead to better health and promote economic and social development.**

The tax monies collected could be used to help bring Hawai'i back out of a COVID-19 economy. **Revenue from regulating cannabis sales has been put to immense social good.**

- Colorado donated \$9 million to fund research. They also distributed [\\$230 million to the Colorado Department of Education](#) between 2015 and 2017 to fund school construction, early literacy, bullying prevention, and behavioral health.
- [Oregon](#) allocates 40 percent of marijuana tax revenue to its state school fund, depositing \$34 million into the fund so far. The state also distributes 20 percent to alcohol and drug treatment.
- Nevada's 15 percent wholesale tax [is projected](#) to bring in \$56 million over the next two years to fund state schools. Washington dedicates 25 percent to substance use disorder treatment, education and prevention. The state also distributes 55 percent of its marijuana tax revenues to fund basic health plans.
- Alaska will collect an estimated [\\$12 million annually](#), which will fund drug treatment and community residential centers.
- Massachusetts and California, by statute (M.G.L.A. 94G § 14(b)(v); Cal. Rev. & Tax. Code § 34019(d)), will invest a share of their marijuana tax revenues in the communities most adversely impacted by drug arrests and incarceration.

I am a responsible cannabis user as are many millions of other adults. I am also a medical cannabis nurse who chooses to not drink alcohol because I don't put toxic chemicals into my body. Alcohol is not only a toxin it is a carcinogen. When I want to relax, I prefer to use cannabis and would like to do so legally. I believe that other adults should have the legal choice between alcohol and cannabis.

Passing this bill will be the first step towards creating the framework for a safe adult-use program in Hawai'i. Most States have taken about 2 years to implement their programs.

Please consider these reasons when making your decisions. Please support passage of this bill.

Thank you,

Wendy Gibson-Viviani RN/BSN

Kailua

SB-767-SD-1

Submitted on: 3/1/2021 3:55:34 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|------------------|--------------|--------------------|--------------------|
| Ashlee Klemperer | Individual | Oppose | No |

Comments:

Committee Chair and Members,

As a mother and prevention specialist I greatly urge you not to pass Bill 767. As it stands it is simply bad policy. Other states have encountered major challenges and struggles when choosing to house cannabis/marijuana regulations within the department of taxation. Public health concerns cannot be prioritized or addressed effectively and thus the department of taxation is an inappropriate agency to control and regulate this mind altering substance. Amending the language to identify the Department of Health and expanding the Medical Cannabis Division would better follow public health and safety recommendations based on experiences from other jurisdictions.

In light of our current world situation we must question what is best for our people. Consider that mental health challenges are at an all time high and youth depression and suicides are increasing. My deepest concern is opening the floodgates of a substance that is commonly used to self-medicate when instead we should increase mental health services to our community.

I ask all members of this committee to please oppose Bill 767. Stand for the health, wellness and safety of our people. Protect developing brains and those dealing with the chronic brain disease of addiction. Stand for those who cannot stand for themselves and push back against another big industry working to exploit any community who will allow it. We do not allow it and you should not either.

Thank you.

Ashlee Klemperer, MSW

Resident of Kihei, Maui

ashlee.klemperer.ak@gmail.com

SB-767-SD-1

Submitted on: 3/1/2021 4:22:39 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Lee Spencer | Individual | Support | No |

Comments:

I am writing in support of SB767 to legalize marijuana. In this time of budget shortfall, Hawaii should take advantage of this lucrative source of revenue (certainly before we start cutting public services!) The writing is on the wall - this will happen sooner or later, so do it now and fix the budget. More than 15 other states have already legalized it, including most of our major tourist markets on the west coast. These people are going to want marijuana while on vacation, so this is another way you can help restart tourism. They are used to buying it at their local shop & they will want to do that here. It just makes sense to do this now.

SB-767-SD-1

Submitted on: 3/1/2021 5:50:40 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Prohibition has completely failed to reduce cannabis use.

- Prohibition has resulted in mass incarceration and over-policing.
- Prohibition exacerbates institutional racism within the prison system.
- Cannabis is more than 100 times safer to use than alcohol.
- Cannabis has legitimate medicinal value.
- Youth cannabis use rates have remained stable after legalization in other jurisdictions.
- Legalization has not made our roads less safe.
- Legalization has not resulted in a public health crisis.
- Cannabis legalization is linked to lower rates of opioid related harm.
- Legalization will save the state hundreds of millions of dollars in criminal justice costs.
- Legalization will generate hundreds of millions more in new revenue.
- Revenue from regulating cannabis sales has been put to immense social good.
- A legal cannabis industry would create thousands of new jobs.
- A legal cannabis industry would undercut the black mar

SB-767-SD-1

Submitted on: 3/1/2021 6:01:05 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

Prohibition has resulted in mass incarceration and over-policing.

Cannabis is much safer than alcohol and legalization is linked to lower rates of opioid related harm.

Legalization will save the state hundreds of millions of dollars in criminal justice costs, generate hundreds of millions more in new revenue and create thousands of new jobs.

SB-767-SD-1

Submitted on: 3/1/2021 6:07:25 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

I thoroughly support this Bill.

SB-767-SD-1

Submitted on: 3/1/2021 6:12:13 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Momi Medeiros | Individual | Oppose | No |

Comments:

I opposed the legalization of marijuana in Hawaii as I am a prevention specialist that teaches a substance abuse prevention program in the middle and high schools. Legalization of marijuana will only make it more accessible to our youth. I specifically speak on behalf of our youth as their brains are still developing and having access to marijuana and its use can cause permanent damage to their young brains

SB-767-SD-1

Submitted on: 3/1/2021 6:36:31 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Madge Schaefer | Individual | Oppose | No |

Comments:

My testimony regards my opposition of the legalization of recreational marijuana. Please consider the risk impacts to our communities. Weigh heavily those impacts over the revenue such a legalization might produce.

Below is a letter to the editor I recently sent to the Maui News. It addresses my concerns about this proposed Bill. Please just say no to SB767. Remember Patrick.

Thank you for your consideration.

Dear Editor

Patrick was the 15-year-old son of close friends and neighbors. Ten o'clock at night, I needed to make a quick trip to the grocery store. As I rounded the corner, my headlights illuminated two boys exchanging money for a baggy. Obviously, a drug buy. Patrick was the buyer.

I spoke with his father the next day. He said they were aware that Patrick was smoking weed but considered it "just a phase".

Ten years later, despite multiple stays in rehab, Patrick had evolved from pot to heroin. He was in a halfway house after what seemed like a successful stint in rehab, when he didn't show up for breakfast. They found him in his room, the heroin needle still in his arm, dead. His family was devastated.

Maui County Council has voted to support proposed legislation for the legalization of cannabis. They talked about all the revenue that is possible with the brand "Maui Wowee". They did not bother to consult with the Maui Police Department or the Coalition for a Drug Free Youth as to impacts of legalization. The focus was on revenue alone, not the societal costs. Not a word about impaired driving, addiction, or ongoing medical problems. Just revenue...not risks.

If this Bill passes, the availability of pot will soar. Young people will have far greater access opportunities. And when that "high" isn't enough, will meth or cocaine be next?

“The American Academy of Child and Adolescent Psychiatry (AACAP) advocates for careful consideration of potential immediate and downstream effects of marijuana policy changes on children and adolescents ... Adolescents are especially vulnerable to marijuana’s many known adverse effects. One in six adolescent marijuana users develops cannabis use disorder, a well-characterized syndrome involving tolerance, withdrawal, and continued use despite significant associated impairments. Selective breeding has increased marijuana’s addictive potency and potential harm to adolescents. Heavy use during adolescence is associated with increased incidence and worsened course of psychotic, mood, anxiety, and substance use disorders.”

Cannabis is a gateway drug. It can lead to using stronger drugs—cocaine and other assorted narcotics, even heroin. Patrick was bright, handsome, and funny. His “just a phase” led to a heartbroken family. A promising life snuffed out by a supposedly “harmless” drug, which the Council just supported legalization of. If you have children you care about, please remember Patrick’s story.

Madge Schaefer

SB-767-SD-1

Submitted on: 3/1/2021 8:32:40 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Joseph Brown III | Individual | Support | No |

Comments:

Aloha Chair, Vice Chair, and members of the Committee,

I write in **STRONG SUPPORT** of this measure. It is long past time for Hawai'i to legalize recreational cannabis. Currently, 15 States and Washington D.C. have legalized recreational cannabis. It's worth listing out each state to note that legalization has been enacted in liberal and conservative states alike - Washington, Oregon, California, Alaska, Nevada, Arizona, Colorado, Montana, South Dakota, Michigan, Illinois, New Jersey, Rhode Island, Vermont, and Maine. More states are likely to follow the trend this year including Virginia, and potentially Wisconsin and New York. Furthermore, according to a Gallup poll taken at the end of 2020, 68% of Americans support the legalization of recreational cannabis, an all-time high demonstrating that prohibition is deeply disfavored by the vast majority of our country.

More importantly, the war on drugs has been an immoral failure. Not only did it fail to limit the drug trade or address addiction, but it fueled racist mass incarceration and created more violence and terror. Cannabis has been proven to be no more dangerous than alcohol consumption, and that more and more states continue to legalize proves that fear mongering by those who oppose it is baseless and irrational.

But perhaps even more compelling to the Legislature at this time is the additional revenue our State could see. The right-center Tax Foundation conservatively estimates that Hawai'i could see an additional 28.5 million dollars in revenue from taxing cannabis sales. Considering our state's historical reputation regarding cannabis (e.g., maui wauī/wowie), and our designation as a top tourist destination, it's likely that our out-of-state tax revenue would be a lot higher than the Tax Foundation's estimate, perhaps anywhere from 30-50 million dollars. As you all know, the pandemic has caused our state to face a serious budget shortfall, and such additional revenue would go a long way to making up for any losses. New revenue sources like cannabis legalization should always be the first option before proposed spending cuts as has been proposed by the Governor.

The time is right for Hawai'i to legalize. It's no longer a matter of "if," but "when." Will we choose to join the fifteen other states now, when we need the money most, or will we wait out the inevitable for no reason other than outdated thinking and unsubstantiated fear mongering by right-wing extremists?

Mahalo,

Joey Brown

Kailua, 96734

SB-767-SD-1

Submitted on: 3/1/2021 9:34:35 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| donn viviani | Individual | Support | No |

Comments:

I support this bill. In 1972, the National Commission on Marijuana and Drug Abuse recommended decriminalization of possession of marijuana for personal use. I am a 73 years old well-off white man and I have no doubt that I would have a cannabis-related criminal record save for white privilege. While there may be less enforcement/judicial bias today against minorities... it has not disappeared. Please pass this and, at least in the case of cannabis, make everyone equal in the eyes of the law. Aside from the other demonstrated benefits of cannabis like reducing alcohol use with its many disamenities and the simple enjoyment cannabis provides to many of your constituents, legalization will help current budget crisis. SB644 proposes building an expensive new detention center. Legalizing cannabis will reduce arrests and mitigate the need for new incarceration capacity. You can then spend the money helping more of your constituents with needed social programs instead of locking them up. Please consider where our tax dollars are best spent, and thank you for the opportunity to make my preferences known. Mahalo, Donn Viviani, Kailua

SB-767-SD-1

Submitted on: 3/1/2021 9:42:12 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Phil Schlieder | Individual | Support | No |

Comments:

Aloha,

I have resided in Hawaii for 4 years as of January of this year. I am originally from the state of Oregon where I watched the medicinal cannabis industry move to recreational. There were people that argued it would be bad for the society and children, that it would lead to addiction, that traffic accidents would increase, and the economy wouldnt benefit. All those arguments could not have been more wrong. We see that the cannabis industry in those states have generated so much revenue for the state and it has been nothing but positive across the board. Hawaii has been timid in its approach, but it is the time to be bold and capitalize on this emerging legal market that is is on a trajectory to be fast tracked to legality on the federal level. Now is the time to allow the infrastructure of this industry to develop so Hawaii is not once again left in the dust.

At a time when the state of Hawaii needs to get creative in finding ways to fund our budget for things such as strong health care and education systems, mental health and homeless resources, plastic pollution and cleanup technology, and failing infrastructure, it is the perfect time to finally pass recreational Marijuana in the state of Hawaii.

In doing this, it is imperative that you look to other states models such as Washington, Oregon, Colorado, and California where they allow many different companies enter this new marketplace as producers, dispensaries, and testing facilities autonomously. It needs to be like a brewery model where there can be lots of competition. If the state limits the amount of permits then it will lead to corruption and only allow a small group of extrodinary wealthy individuals benefit while native Hawaiian's and local long term residensts not reap the benefit of job growth and business opportunity.

On a personal note, I have connection with a community on the windward side of Oahu where this primarily native community has greenhouses for their medical cards. They have been nothing but by the book and transparent in their approach which only leads to minor production. This is a community that if they were able to scale production, the revenue generated from the sale of cannabis products would transform their lives and build a financial infrastructure that can give that community much upward trajectory. That community is not alone...



Akamai Cannabis Clinic
3615 Harding Ave, Suite 304
Honolulu, HI 96816

TESTIMONY ON SENATE BILL 767 SENATE DRAFT 1
RELATING TO CANNABIS

By
Clifton Otto, MD

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

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Wednesday, March 3, 2021; 9:45 AM
State Capitol, Videoconference
DECISION MAKING

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

While the State certainly has the authority to expand the state authorized use of cannabis to include so-called personal use, it would be a mistake to do so without first addressing the current conflict with the federal regulation of marijuana.

To this end, I respectfully recommend the following amendment to this bill:

SECTION 3b. Chapter 329, Hawaii Revised Statutes, is amended by adding a new section to read as follows:

“§329-5 Recognizing the State Authorized Use of Cannabis.

The department of public safety shall submit to the administrator of the United States Department of Justice, Drug Enforcement Administration, Diversion Control Division:

(1) An application for immediate relief pursuant to title 21 Code of Federal Regulations section 1307.03 to the Office of Diversion Control. This application shall state that part IX of chapter 329, Hawaii Revised Statutes, and chapter 329D, Hawaii Revised Statutes, create an exemption from federal drug laws and do not create any positive conflict pursuant to title 21 United States Code Annotated section 903; and that the federal scheduling of marijuana does not apply to the state authorized use of cannabis. The application shall also include a proposed rule containing the following: "The listing of marijuana as a controlled substance does not apply to the state authorized use of marijuana, and persons using marijuana in compliance with state law are exempt from registration"; and

(2) A petition for permanent relief pursuant to title 21 Code of Federal Regulations section 1308.43. This petition shall state that part IX of chapter 329, Hawaii Revised Statutes, and chapter 329D, Hawaii Revised Statutes, create an exemption from federal drug laws and do not create any positive conflict pursuant to title 21 United States Code Annotated section 903; and that the federal scheduling of marijuana does not apply to the state authorized use of cannabis. The petition shall also include a proposed rule containing the following:

Testimony on SB767 SD1
March 3, 2021
Page 3

"The listing of marijuana as a controlled substance does not apply to the state authorized use of marijuana, and persons using marijuana in compliance with state law are exempt from registration."

Thank you for considering this amendment proposal.

Aloha.

3-02-21

Testimony to Strongly OPPOSE SB767 SD1, Relating to Cannabis

To: Chair Senator Karl Rhoads, Vice Chair Senator Jarrett Keohokalole and Members of the Senate Judiciary Committee

I am writing testimony to Strongly OPPOSE SB767 SD1, Relating to Cannabis. I moved to Hawaii from Colorado and I can tell you firsthand that legalizing marijuana is devastating to children, teens, adults and all of society!

As Mr. Riley from the *Marijuana Accountability Coalition* in Colorado states, **“It’s one thing to decriminalize marijuana, it’s an entirely different thing to legalize an industry that has commercialized a drug that is devastating our kids and devastating whole communities.”** He then points out that **Colorado is ranked #1 out of 50 states for youth drug use**, noting that **“kids are being expelled from school at higher rates and more road deaths are tied to pot”** since the legalization of marijuana in Colorado. We don’t want that in Hawaii!

In 2013, within months of the legalization of marijuana in Colorado, my sister, her husband and children had to move out of the home they were renting because all of the drug dealers/distributors were moving into Colorado and offering landlords more money for rent. Both my sister and her husband work but they couldn’t afford the rent that landlords have been asking for since the legalization of marijuana in Colorado. So not only my sister and her family, but many other families were forced to move and look elsewhere for housing. That was in 2013 and now 8 years later, my sister and her husband are still living in a relative’s basement because **the rent in Colorado has skyrocketed ever since marijuana became legal**. Hawaii already has problems with affordable housing and with the effects of the pandemic and many being out of work, the people of Hawaii cannot afford to pay higher rent.

This type of legislation is definitely not family-friendly. When marijuana was first legalized in Colorado, many **juveniles began using the drug**. One young man who drove from out of state on the weekend, ate a marijuana cookie. The man who sold him the cookie told him to only eat 1/4 of the marijuana cookie. The young 19 year old didn't feel the effects right away, so he ate the whole cookie. He ended up jumping off the lanai of the hotel and he died! Unfortunately, this is not an isolated incident. Where marijuana is legal, teens are using this drug at an alarming rate and the pakalolo of today is not the same as it was 20-30 years ago. **Today, it is much more potent with THC levels between 20-30%! 20-30 years ago, the THC level was only at 2-3%. Wow! What a difference!**

And we all know that **marijuana is a “gateway drug.”** If keiki experiment and try marijuana, they are 75% more likely to try other drugs. We want to keep our keiki safe, here in Hawaii.

Since the pandemic and with all the schools shutting down, our children have experienced a temporary loss of brain abilities. However, studies show that marijuana causes **permanent loss of brain abilities**. Wow!

What really blew me away and what was very visible as I recently visited Denver, Colorado, was the amount of homeless people there. There was a “ton of homeless people” living in a downtown park. As I drove by, I thought it was a concert or something. However, as I got closer, I realized that these individuals were all homeless. In all my years living in Denver and then visiting there, I have never seen so many homeless people! **The people living in Denver attribute homelessness to marijuana being so easily accessible to them. Hawaii doesn't need any more homeless on our Islands.**

I realize that our Senators here in Hawaii are only trying to raise revenue and revive our economy. I commend them for that. **However, legalizing marijuana is too costly for the people of Hawaii. It would hurt families and it would cost lives!** I believe we should open up Tourism, all the hotels and restaurants in Waikiki and re-evaluate. Tourism has always been Hawaii's #1 source of income. I don't see that changing anytime, soon. We need to open up Waikiki and help businesses in that area. So if you want to stimulate our economy, find ways to attract tourists to Hawaii. That shouldn't be hard. We are the state of Aloha!

Thank you for reading my testimony in **Strong OPPOSITION to SB767 SD1.**

Mahalo,

Margaret Mejia

Testimony Against SB 767, SD1 - Relating to Cannabis

Wednesday, March 3, 2021, 9:45 am

Conference Room 211 and Videoconference

To: Committee on Judiciary
Senator Karl Rhoades, Chair
Senator Jarrett Keohokalole, Vice Chair

Committee on Ways and Means
Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith Agaran, Vice Chair

Fr: Alan Shinn
2869 Park Street
Honolulu, HI 96817

Please accept my testimony against SB 767, SD1 – Relating to Cannabis, which legalizes the personal use, possession, and sale of marijuana in specified quantities. It also sets up licensing to operate cannabis establishments and subjects these establishments to excise tax and income taxes.

There lacks clear and convincing rationale for marijuana legalization in Hawaii. Possession of small amounts of pot is already decriminalized to a citation and possible monetary fine. No one goes to jail for possession and use of small amounts of weed. Legalization will not decrease the black-market sales of marijuana due to pricing differences. Medical use of marijuana has been expanded to include a wide array of health and psychological issues although not necessarily backed by science.

While marijuana commercialization will create jobs and revenue, it comes with associated health and social costs such as increased drugged driving and fatal crashes, hospitalizations, substance abuse and addiction among adults as well as our youth, and additional law enforcement issues with controlling the illicit market.

In addition, the country is still dealing with an opioid epidemic worsened by the COVID-19 pandemic, with several hundred people dying daily from opioid related overdoses (NIH, 2020). Like other states, Hawaii has a serious and on-going issue with opioids and overdose deaths. Legalizing another drug in Hawaii that can cause potential harms makes no sense and is ill timed.

Instead, we should implement a public health-based strategy for marijuana instead of legalization. This means implementing a public health policy driven strategy emphasizing decriminalization, with more funding into prevention, assessment, early intervention, and treatment.

Thank you for the opportunity to submit testimony on SB 767, SD1.

SB-767-SD-1

Submitted on: 3/2/2021 8:06:49 AM

Testimony for JDC on 3/3/2021 9:45:00 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

SB-767-SD-1

Submitted on: 3/2/2021 8:35:32 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Margaret U. Lim | Individual | Oppose | No |

Comments:

The devastating effect on marijuana is indescribable. The use of marijuana has led to deeper alcohol and drug use as it is the gateway to cocaine use and other substance abuse. WE NEED TO PROTECT OUR CHILDREN AND COMMUNITY.

SB-767-SD-1

Submitted on: 3/2/2021 8:56:16 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mark Lim | Individual | Oppose | No |

Comments:

The devastating effect of marijuana use is indescribable. The recreational use and unmonitored use of marijuana has led to deeper alcohol and drug use as it is the gateway to cocaine use and other substance abuse. WE NEED TO PROTECT OUR CHILDREN AND COMMUNITY.

SB-767-SD-1

Submitted on: 3/2/2021 9:12:17 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| jonathan lim | Individual | Oppose | No |

Comments:

The devastating effect of marijuana use is indescribable. The recreational use and unmonitored use of marijuana has led to deeper alcohol and drug use as it is the gateway to cocaine use and other substance abuse. WE NEED TO PROTECT OUR CHILDREN AND COMMUNITY.

SB-767-SD-1

Submitted on: 3/2/2021 9:14:54 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ryan Lim | Individual | Oppose | No |

Comments:

Marijuana is a gateway drug that will lead to increased drug use in our community. It would decrease our quality of life. Hawaii is known for its clean air and safe public spaces. Legalizing marijuana will decrease the state's tourism appeal. Schools are seeing an increase in drug use, especially ecigarettes. The passing of this bill will only make it easier for our children to get access to harmful substances. Without an explicit ban on marijuana, there is little the community will be able to do to prevent our children from being exposed to drug use.

SB-767-SD-1

Submitted on: 3/2/2021 9:24:37 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------------|--------------|--------------------|--------------------|
| William Haning, MD | Individual | Comments | No |

Comments:

Honored Chair, Vice-Chair, members of the Committee:

This measure is premature, and requires further examination. While thoughtful and well-intended, it does not fully consider issues such as the concentration of THC or the effects and risks of synthetic cannabinoids. You are encouraged to review an extensive discussion of the topic in a policy statement by the American Society of Addiction Medicine*. <https://www.asam.org/docs/default-source/public-policy-statements/2020-public-policy-statement-on-cannabis.pdf>

Sample salient points included within the policy statement:

6 conclusions are supported graded as "substantial" in an analysis of of the evidence:

“The later cannabis use is initiated, the lower the risks will be for adverse effects on the user’s general health and welfare throughout later life.”

- “High THC-content products are generally associated with higher risks for ... acute and chronic mental and behavioral problem outcomes.”
- “Regular inhalation of combusted cannabis adversely affects respiratory health outcomes.”
- “Frequent or intensive (e.g., daily or near-daily) cannabis use is strongly associated with higher risks of experiencing adverse health and social outcomes related to cannabis use.”
- “Driving while impaired from cannabis is associated with an increased risk of involvement in motor-vehicle accidents.”
- There are some populations at probable higher risk for cannabis-related adverse effects who should refrain from using cannabis, including those with predisposition for, or a first-degree family history of, psychosis or substance use disorders, as well as pregnant women (primarily to avoid adverse effects on the fetus or newborn).

Particular concern needs to be given to the matter of THC concentration in sold or distributed cannabis. However, the policy also addresses the matter of decriminalization, in a thoughtful matter which provides alternatives:

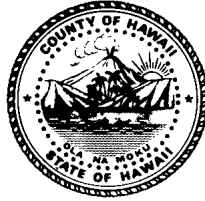
"Our nation's historically punitive approach to cannabis possession and use has caused harms related to arrest and incarceration, which disproportionately impact low-income communities and persons of color, contributing to racial injustice. Decriminalization of cannabis possession and use could reduce these harms and disparities. Most states that have decriminalized possession retain civil fines that can be especially burdensome to the poor. Typically, escalating civil fines, and/or criminal penalties remain in place when the quantity of cannabis exceeds certain thresholds, or upon repeat offenses. Decriminalization can also include eliminating civil fines in favor of warnings or referrals for clinical evaluation, education or treatment, which stops short of full "legalization" of possession and use (note that the phrase "cannabis legalization" typically includes legalization of production, marketing and sale)."

*Author is an officer (President-Elect) of ASAM

Respectfully submitted,

W. Haning, MD, DFASAM, DLFAPA

Mitchell D. Roth
Mayor



Paul K. Ferreira
Police Chief

Kenneth Bugado Jr.
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

March 2, 2021

The Honorable Senator Karl Rhoads
Chair and Committee Members
Committee on Judiciary
State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawai'i 96813

RE: SENATE BILL 767, SD1, RELATING TO CANNABIS
HEARING DATE: MARCH 3, 2021
TIME: 9:45 A.M.

Dear Senator Rhoads and Members:

The Hawai'i Police Department **opposes** Senate Bill 767, SD1, with its purpose to legalize the personal use, possession, and sale of cannabis in a specified quantity; requires licensing to operate cannabis establishments and subjects cannabis establishments to excise taxes and income taxes.

Marijuana is a Schedule I Controlled Substance under the Controlled Substance Act. The statement of the federal government signaling its approval of decriminalization by referencing the U.S. House passing the Marijuana Opportunity Reinvestment and Expungement Act (MORE Act) on December 4, 2020, is misleading, as did not pass in the U.S. Senate.

Due to concerns from the public in recent years, 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 three (3) grams to one (1) ounce will allow these street dealers to walk around with up to an ounce of marijuana to sell without facing any violations.

Operating a vehicle after ingesting marijuana is considered intoxicated under Hawai'i Revised Statutes 291E-61. It is a known fact that marijuana use impairs motor skills, which puts the public at risk of injury or death. Decriminalizing the use of marijuana will allow people to operate a motor vehicle on public roadways while under the influence of marijuana.

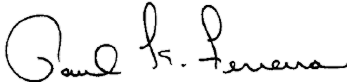
In 2019, as part of Act 273, an Evaluation Task Force was created to "examine other states' laws, penalties, and outcomes pertaining to marijuana use, other than marijuana use for medical purposes, and make recommendations on amending marijuana use penalties and outcomes in the State." The Marijuana Evaluation Task force did not submit a report of its findings and recommendations before the convening of the 2021 regular session.

The Honorable Karl Rhoads
Chair and Members
Committee on Judiciary
RE: SENATE BILL 767, SD1, RELATING TO CANNABIS
March 2, 2021
Page 2

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. Senate Bill 767 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.

The Hawai'i Police Department urges you to oppose Senate Bill 767, Relating to Cannabis. Thank you for allowing the Hawai'i Police Department to provide comments relating to Senate Bill 767.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul K. Ferreira". The signature is written in a cursive style with a large initial "P" and "F".

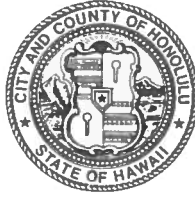
PAUL K. FERREIRA
POLICE CHIEF

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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

LATE

RICK BLANGIARDI
MAYOR



SUSAN BALLARD
CHIEF

JOHN D. MCCARTHY
AARON TAKASAKI-YOUNG
DEPUTY CHIEFS

OUR REFERENCE PJ-GK

March 3, 2021

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 211
Honolulu, Hawaii 96813

Dear Chairs Rhoads and Dela Cruz and Members:

SUBJECT: Senate Bill No. 767, S.D. 1, Relating to Cannabis

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. 767, S.D. 1, Relating to Cannabis.

The HPD opposes legislation that seeks to legalize the use, possession, or sale of marijuana in any amount. Although Hawaii has legalized marijuana for medical purposes, the Federal Schedule of Controlled Substances continues to list marijuana as a Schedule I controlled substance.

As a point of reference, one ounce of marijuana is equivalent to approximately 50 cigarettes (joints). Marijuana plants can grow in excess of eight feet with numerous branches off one root system. It is possible for one plant to produce several ounces of marijuana. In addition, the amount of tetrahydrocannabinol or THC in marijuana edibles can vary greatly, which could lead to abuse and adverse effects.

The Honorable Karl Rhoads, Chair
and Members
The Honorable Donovan M. Dela Cruz, Chair
and Members
Page 2
March 3, 2021

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. 767, S.D. 1, Relating to Cannabis, and thanks you for the opportunity to testify.

Sincerely,



Phillip Johnson, Major
Narcotics/Vice Division

APPROVED:



Susan Ballard
Chief of Police

LATE

SB-767-SD-1

Submitted on: 3/2/2021 3:26:54 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--|---------------------------|---------------------------|
| Tai Cheng | Testifying for Aloha Green Holdings Inc. | Support | No |

Comments:

We support State sponsored decriminalization and legalization of this medicinal plant.

LATE

SB-767-SD-1

Submitted on: 3/2/2021 9:20:08 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Julia M. Yano | Testifying for AFC | Oppose | No |

Comments:

Re - Opposition to SB767 SD1

I ask you to oppose SB767, studies and statistics indicate legalization of Marijuana increases homelessness and overall psychological wellbeing and safety of our youth.

Thank you for considering my opinion.

LATE

SB-767-SD-1

Submitted on: 3/2/2021 9:46:28 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

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

Comments:

The devastating effect of marijuana use is indescribable. The recreational use and unmonitored use of marijuana has led to deeper alcohol and drug use as it is the gateway to cocaine use and other substance abuse. Studies and research have also shown that the use of marijuana increases the potential of serious physical and mental problems. By approving this bill, we're only adding more fuel to the fire of drug abuse and the breakdown of not only the family unit, our ohana, but the overall community as well. Let's stop this and prevent it from growing futher. WE, THEREFORE, NEED TO PROTECT OUR CHILDREN AND COMMUNITY. PLEASE! PLEASE! PLEASE! Thank you for your time and listening ears. God bless our aina...God bless our America!

LATE

SB-767-SD-1

Submitted on: 3/2/2021 9:49:36 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Cris Uy | Individual | Oppose | No |

Comments:

OPPOSE SB767

(Legalization of marjuana)

LATE

SB-767-SD-1

Submitted on: 3/2/2021 12:10:25 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Axel Beers | Individual | Support | No |

Comments:

LATE

SB-767-SD-1

Submitted on: 3/2/2021 1:22:17 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Lisa Shorba | Individual | Oppose | No |

Comments:

Aloha!

I **strongly oppose SB767 SD1** and the legalization of the "personal use, possession, and sale of cannabis" (marijuana). I am extremely concerned for the safety of our children and the future well-being of Hawaii's residents. As a counselor who works with teens and adults, I have witnessed first-hand the problems connected with marijuana use, and its effects on the developing "teen" brain. We don't need to contribute to the existing problem, nor welcome additional problems due to the legalization of the recreational use of marijuana.

Other states, such as Colorado, who have passed similar legislation are now experiencing serious problems...such as an increase in homelessness, and an increase in marijuana use among teens, which resulted in more students being expelled from school for drug use, along with an increase in the number of deaths associated with marijuana use. Students need our protection. Legalizing marijuana use is sending the wrong message to our youth. **Please do not pass SB767 SD1.**

Mahalo for the opportunity to testify on this important matter.

Malama pono,

Lisa Shorba

LATE

SB-767-SD-1

Submitted on: 3/2/2021 3:27:26 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mark A. Koppel | Individual | Support | No |

Comments:

TESTIMONY IN STRONGEST SUPPORT OF SB767 SD1.

MARK KOPPEL

UMAUMA, HI

Aloha Committe Members:

This is a measure that is years overdue. There is no reason whatsoever for the criminalization of Marijuana. It was done by Henry Anslinger to punish Blacks and hemp growers.

Marijuana is HARMLESS and helps many people with every day issues.

IT IS FAR SAFER THAN ALCOHOL, WHICH WE LEGALIZE. NOT TO MENTION CIGARETTES!!!!!!

Legalizing Marijuana leads to the elimination of useless arrests, jailings, etc. and will SAVE MILLIONS.

Taxing Marijuana will BRING IN MILLIONS.

YOU WILL MAKING A HUGE MISTAKE IF YOU DON'T LEGALIZE MARIJUANA, ESPECIALLY WHEN WE NEED THE MONEY.

Mahalo

LATE

SB-767-SD-1

Submitted on: 3/2/2021 3:50:54 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Patrick Rorie | Individual | Oppose | No |

Comments:

Dear Hawaii State Senator,

This email is from a Hawaii resident (for over 30 years), taxpayer and voter.

As we consider what should be accomplished at this year's Legislative Session, please consider the following..

Please vote 'No' to the legalization of recreational marijuana in the State of Hawaii

Why? Here are 5 good reasons...

1) It is illegal on the Federal level, and only 11 of 50 United States have voted to make recreational marijuana legal - let's not be a part of the radical minority.

2) Legalized marijuana creates steep costs for society and taxpayers that far outweigh its tax revenues.

3) We already have enough problems with drunk drivers on our roads. If this bill is passed, we will have drivers under the influence of marijuana who might crash and kill themselves (and perhaps others). The State of Colorado, where recreational marijuana use is legal, has reported that marijuana-related traffic deaths rose 62 percent.

4) What are we telling our children? And how many of them will become addicted to marijuana, which, studies show, harms the brain and will increase mental health problems?

5) The use of marijuana can lead to the use of other, more harmful drugs like cocaine or heroin.

Mahalo nui for your time and consideration.

Most sincerely and with Aloha,

Patrick Rorie (Oahu resident since 1987)

LATE

SB-767-SD-1

Submitted on: 3/2/2021 5:27:44 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Cecilia Rose Reilly | Individual | Support | No |

Comments:

Aloha,

In light of our options, i defintely see that marijuana is the best medicine for many situations, including clearing off stress from the work week. With thousands of years in practice in temples all over the world, marijuana calms into productive self awareness. The regulation of all substances these days is lacking the necessary humanity. I ask that precautionary amendments be made in order to facilitate optimal fairness to all in the community. I ask that the State guide the process as humanely as conceivable. I ask that all chemicals used in growing and procesing be clearly labeled for commercial sale. Mahalo, C. Rose Reilly

LATE

SB-767-SD-1

Submitted on: 3/2/2021 9:18:36 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Crystal Robello | Individual | Oppose | No |

Comments:

Aloha,

I am in strong opposition of the legalization of marijuana in Hawai'i. I have loved ones who use marijuana and I have had to experience the consequences first hand. Users become slow minded, lackadaisical, and highly addicted. We need to educate the community on the harms of addictions and not encourage it.

Mahalo,

Crystal Robello

LATE

SB-767-SD-1

Submitted on: 3/2/2021 9:35:09 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jonathan Medios | Individual | Support | No |

Comments:

Hello,

I am writing in support of Bill SB 767. I believe this bill will bring great revenue to the state, something we need now especially because tourism is down. The boost in economy has been seen in those states who have already chosen to decriminalize marijuana. The decriminalization of marijuana would also lessen the overcrowding of prisons and also free up resources to focus on much major issues. So please, let's take this step in the right direction and support this bill.

Thank you for your time.

LATE

SB-767-SD-1

Submitted on: 3/2/2021 9:22:26 PM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Suzy Medios | Individual | Support | No |

Comments:

My name is Suzy Nefios. I am a resident of Maui county. The legalization of cannabis is an important step for the state of Hawaii. Currently we face many issues with not legalizing cannabis like over policing and mass incarceration. Both are wasting our tax money and overusing resources. By legalizing cannabis we can bring in new tax revenue and lower our incarceration which mainly targets BIPOC communities. Cannabis has been demonized by outdated data and new studies have found it to have many medicinal used.

For these reasons I am writing in to urge you to support SB767

thank you for your time.
Suzy Medios

LATE

SB-767-SD-1

Submitted on: 3/3/2021 12:16:06 AM

Testimony for JDC on 3/3/2021 9:45:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jasmine Balangitao | Individual | Support | No |

Comments:

Aloha committee members,

I strongly support this bill. This would help to create lots of jobs in many different fields. Plus it will generate a lot of money for our state. And we should stop wasting tax payers money on putting people in jail. We could put that money to better use in our communities. So please pass this bill. We should strive to become the state with the best cannabis in the world so we don't only need to rely on tourism for our economy.

o, Jasmine Balangitao

Mahal