

Charlotte A. Carter-Yamauchi
Acting Director

Research (808) 587-0666
Revisor (808) 587-0670
Fax (808) 587-0681



LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
Honolulu, Hawaii 96813

Written Testimony

HCR127 HD1

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY AND ADVISABILITY OF DECRIMINALIZING THE ILLEGAL POSSESSION OF DRUGS FOR PERSONAL USE IN HAWAII

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the Senate Committee on Judiciary and Labor

Monday, April 18, 2016, 2:30 p.m.
Conference Room 325

Chair Keith-Agaran and Members of the Committee:

Good afternoon Chair Keith-Agaran and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Acting Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.C.R. No. 127, H.D. 1, Requesting the Legislative Reference Bureau to Conduct a Study on the Feasibility and Advisability of Decriminalizing the Illegal Possession of Drugs for Personal use in Hawaii.

The purpose of this measure is to request that:

- (1) The Legislative Reference Bureau conduct a study on the feasibility and advisability of decriminalizing the illegal possession of drugs for personal use in Hawaii;
- (2) The study include:
 - (A) A survey of all existing criminal drug offenses in Hawaii that are a class C felony or lower and pertain to the illegal possession for personal use of a drug;
 - (B) A review of the current national drug policy of Portugal pertaining to the illegal possession of drugs for personal use, with a focus on the use of the policy as a potential model for the decriminalization of the offenses identified under subparagraph (A); and

- (C) The feasibility and advisability of decriminalizing the offenses identified under subparagraph (A), such that the conduct constituting an offense would constitute an administrative or civil violation rather than a criminal offense; and
- (3) The Legislative Reference Bureau submit a written report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017.

While the Legislative Reference Bureau takes no position on this measure, we submit the following comments for your consideration.

As a general matter, it should be noted that, based on the findings of the measure, Portugal, as a sovereign nation, has adopted a decriminalization policy for the illegal possession of drugs. Hawaii, as a state within the United States, faces the concurrent drug enforcement jurisdiction of not only state law, but federal law as well.

The Bureau can compile a list of illegal possession of drugs offenses established in the Hawaii Revised Statutes. However, as drafted, the measure also requests that the Bureau study the feasibility and advisability of decriminalizing such offenses. Such a feasibility and advisability study may prove fruitless if federal drug enforcement authorities take the position in any given case that decriminalized possession of illegal drugs under State law still constitutes a federal offense. To this point, we note that, while federal law does make a distinction between simple possession and possession with intent to distribute, federal law and policy may still prohibit the possession of what the State considers "personal use" quantities of illegal drugs.

Furthermore, since the Hawaii Revised Statutes does not define "possession for personal use" and some, any, or all of the existing possession offenses could involve possession for purposes of distribution, it will not be possible to identify offenses involving possession solely for personal use, as opposed to those that involve possession for the purpose of breaking that quantity into smaller amounts for resale. While the threshold amounts in the Hawaii Revised Statutes for possession offenses may, by inference, make that distinction for charging purposes, that distinction may not apply for public health policy purposes (i.e., the person may be a distributor, and therefore outside the intent of the policy, yet be below the threshold amount for personal possession).

If the measure's intent is to solely determine how the decriminalization of the illegal possession of drugs would have an economic impact on the Judiciary specifically, and the State generally, then the Bureau respectfully recommends that an economic analysis be conducted by either the Department of Business, Economic Development, and Tourism or the University of Hawaii Economic Research Organization.

Thank you again for the opportunity to provide written comments.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/email: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON JUDICIARY AND LABOR

Sen. Gil Keith-Agaran, Chair

Sen. Maile Shimabukuro, Vice Chair

Monday, April 18, 2016

2:30 p.m.

Room 325

SUPPORT for HCR 127 HD1 - STUDY ON DECRIMINALIZATION OF DRUGS

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

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for almost two decades. This testimony is respectfully offered on behalf of the 6,000 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety. We are always mindful that approximately 1,400 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HCR 127 HD1 requests the Legislative Reference Bureau to conduct a study on the feasibility and advisability of decriminalizing the possession of drugs for personal use in Hawai'i. The HD1 amended the resolution to (1) survey of all existing criminal drug offenses in Hawaii that are a class C felony or lower and pertain to the illegal possession for personal use of a drug; (2) review of the current national drug policy of Portugal pertaining to the illegal possession of drugs for personal use, with a focus on the use of the policy as a potential model for the decriminalization of the offenses identified under paragraph (1); and (3) determine the feasibility and advisability of decriminalizing the offenses identified under paragraph (1), such that the conduct constituting an offense would constitute an administrative or civil violation rather than a criminal offense.

Community Alliance on Prisons supports this measure. The failed war on drugs has devastated individuals, families, communities and the economy. It is about time to look at other strategies and try something different.

Portugal deals with drug abusers outside of court, making treatment a priority. João Castel-Branco Goulão, Portugal's national drug coordinator and the chairman of the European Monitoring Center on Drugs and Drug Addiction wrote in a 2014 article¹:

¹ *Decriminalizing Possession of All Illicit Drugs*, João Castel-Branco Goulão, March 17, 2014.

<http://www.nytimes.com/roomfordebate/2014/03/17/lowering-the-deadly-cost-of-drug-abuse/decriminalizing-possession-of-all-illicit-drugs>

"We responded with a drastic measure. In 2000, Portugal decriminalized the use of all illicit drugs, and developed new policies on prevention, treatment, harm reduction and reinsertion. Drug use is no longer a crime, but it is still prohibited. Possession of what a person would use in 10 days or less is no longer a matter for the courts. Users are referred to Commissions for Drug Addiction Dissuasion, which educate them, discourage them from consuming drugs and help them find treatment. The idea behind the new law is that drug addiction must be addressed as a health or social condition.

While critics of the law warned that drug use would swell, it has not risen. We have seen significant reductions in H.I.V. infections and in overdoses, as well as a substantial increase in new patients seeking drug treatment.

Much of this reduction in the harm suffered by drug users, I believe, is due to the commissions' outreach, treatment programs and measures to protect users' health.

Police and customs authorities continue to suppress trafficking, but they now have added resources that were once allocated to pursuing users."

The opening paragraph of the Executive Summary from a report² on drug decriminalization in Portugal by CATO Institute reads:

On July 1, 2001, a nationwide law in Portugal took effect that decriminalized all drugs, including cocaine and heroin. Under the new legal framework, all drugs were "decriminalized," not "legalized." Thus, drug possession for personal use and drug usage itself are still legally prohibited, but violations of those prohibitions are deemed to be exclusively administrative violations and are removed completely from the criminal realm. Drug trafficking continues to be prosecuted as a criminal offense....

The Conclusion of the report reads:

None of the fears promulgated by opponents of Portuguese decriminalization has come to fruition, whereas many of the benefits predicted by drug policymakers from instituting a decriminalization regime have been realized. While drug addiction, usage, and associated pathologies continue to skyrocket in many EU states, those problems – in virtually every relevant category – have been either contained or measurably improved within Portugal since 2001. In certain key demographic segments, drug usage has decreased in absolute terms in the decriminalization framework, even as usage across the EU continues to increase, including in those states that continue to take the hardest line in criminalizing drug possession and usage.

By freeing its citizens from the fear of prosecution and imprisonment for drug usage, Portugal has dramatically improved its ability to encourage drug addicts to avail themselves of treatment. The resources that were previously devoted to prosecuting and imprisoning drug addicts are now available to provide treatment programs to addicts. Those developments, along with Portugal's shift to a harm-reduction approach, have dramatically improved drug-related social ills, including drug-caused mortalities and drug-related disease transmission. Ideally, treatment programs would be strictly voluntary, but Portugal's program is certainly preferable to criminalization.

² **Drug Decriminalization In Portugal** - Lessons for Creating Fair and Successful Drug Policies, Glenn Greenwald, CATO Institute, 2009. http://object.cato.org/sites/cato.org/files/pubs/pdf/greenwald_whitepaper.pdf

*The Portuguese have seen the benefits of decriminalization, and therefore there is no serious political push in Portugal to return to a criminalization framework. **Drug policymakers in the Portuguese government are virtually unanimous in their belief that decriminalization has enabled a far more effective approach to managing Portugal's addiction problems and other drug-related afflictions.** Since the available data demonstrate that they are right, the Portuguese model ought to be carefully considered by policymakers around the world.*

A February 2016 white paper³ on approaches to decriminalization using data from the Bureau of Justice Statistics reported that of the 2014 U.S. drug arrests, 83% were for possession and only 17% were for sales/manufacturing. *"In the U.S. today, roughly 50,000 people are incarcerated in state prison for nothing more than possession of small quantities of drugs. Tens of thousands more are in jail, on probation, or sent to prison for a technical violation of probation or parole involving drug use or possession."*

Decriminalization Does Not Affect Drug Use Rates. Countries that have adopted less punitive policies toward drug possession have not experienced any significant increases in drug use, drug-related harm or crime relative to more punitive countries.⁴

The National Research Council stated in 2015, that there is *"little apparent relationship between severity of sanctions prescribed for drug use and prevalence or frequency of use."*⁵

Community Alliance on Prisons supports this study on the decriminalization of drugs and urges the committee to support this resolution. When we find something is not working, it is time to explore other strategies that research, data and experience support.

Mahalo for this opportunity to testify.

³ ***Approaches to Decriminalizing Drug Use & Possession***, Drug Policy Alliance, February 2016.

http://www.drugpolicy.org/sites/default/files/DPA%20Fact%20Sheet_Approaches%20to%20Decriminalization_%28Feb.%202016%29.pdf

⁴ ***What Can We Learn From The Portuguese Decriminalization of Illicit Drugs?***, British Journal of Criminology 50, no. 6 (2010); Robert J. MacCoun and Peter Reuter, *Drug war heresies: Learning from other vices, times, and places* (Cambridge University Press, 2001); Robin Room et al., *Cannabis policy: moving beyond stalemate* (Oxford University Press, USA, 2010); Eric W Single, "The impact of marijuana decriminalization: an update," *Journal of public health policy* (1989); Mike Vuolo, "National-level drug policy and young people's illicit drug use: A multilevel analysis of the European Union," *Drug and Alcohol Dependence* 131, no. 1-2 (2013); Organization of American States, "The Drug Problem in the Americas: Analytical Report," (2013)

⁵ ***Toward a global view of alcohol, tobacco, cannabis, and cocaine use: findings from the WHO World Mental Health Surveys***, Louisa Degenhardt et al., *PLoS medicine* 5, no. 7 (2008).

http://www.oas.org/documents/eng/press/Introduction_and_Analytical_Report.pdf



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

TO: SENATE COMMITTEE ON JUDICIARY & LABOR

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

DATE: APRIL 18, 2016, 2:30 p.m., ROOM 325

RE: H.C.R. 127, H.D.1 REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY AND ADVISABILITY OF DECRIMINALIZING THE ILLEGAL POSSESSION OF DRUGS FOR PERSONAL USE IN HAWAII – **STRONG SUPPORT**

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

We're very pleased to offer our strong support to HCR 127, H.D. 1. The well-written language of the resolution gives a very good overview of the current drug control situation in our nation. It also describes our evolving policy directions. From the Drug Czar's offices down to the state and local level, policy makers are increasingly recognizing that the use and abuse of drugs is a public health issue. For decades, as we know, it has been addressed by law enforcement approaches. Now that the failures of this approach are widely acknowledged, there is a growing energy in re-thinking the War on Drugs mentality.

The Portuguese model referenced in the resolution shows the most dramatic evidence of the success of a public health approach. By abolishing criminal penalties for possession of illegal drugs sixteen years ago, Portugal has achieved excellent results through a wide array of options: administrative sanctions, community services, drug treatment or other types of community-based rehabilitation programs. This enlightened, holistic approach has saved money, saved lives, reduced crime and improved the health and wellbeing of individuals and communities.

The comprehensive analysis of the Portuguese program, published in 2009 by the Cato Institute is excellent, but there are more recent studies that have been done such as a 2014 study by Transform, a British organization (www.tdpf.org.uk) Importantly, it found the same positive outcomes. This paper emphasized that the Portuguese model was successful in conjunction with a more health-centered approach to drugs.

On the very day of the last House hearing on this measure, March 24th, the Johns Hopkins – Lancet Commission on Drug Policy and Health, issued a long-anticipated report. This comprehensive document, authored by drug policy experts from throughout the world was timed to coincide with the United Nations Special Assembly on Drugs (UNGASS) which is taking place right now in New York.

Of their eleven major recommendations to the UN member states the very first one is “Decriminalize minor, non-violent drug offenses – use, possession, petty sale – and strengthen health and social –sector alternatives to criminal sanctions.” We agree with their conclusion that the type of decriminalization referenced in this reso, is the very first step toward altering our drug laws so that they become truly effective. (The link to the full report is at the [Lancet website](#).)

Turning to what decriminalizing could do for Hawaii, we have plenty of data from other jurisdictions. Looking first at marijuana, the most widely used illegal substance, as you are well aware, some 24 states have legalized medical use of cannabis, 19 have decriminalized it, and 4 have legalized it entirely.

For years now, our organization and others have been advocating for the decriminalization of marijuana here. While far more conservative states such as Ohio and Mississippi have long decriminalized it, we always have heard from law enforcement that first time offenders, with small amounts do not go to prison. This is missing the point however.

An excellent new report on the status of mass incarceration in the U.S. notes that most arrests for minor drug offenses are made at the local or state level. And it’s not incarceration per se that is the problem:

“While most people in state and local facilities are not locked up for drug offenses, most states’ continued practice of arresting people for drug possession destabilizes individual lives and communities. Drug arrests give residents of over-policed communities criminal records, which then reduce employment prospects and increase the likelihood of longer sentences for any future offenses.” (<http://justicenotjails.org/mass-incarceration-2016/>)

This quotation also touches on what research has long established: that Native Hawaiians, while using drugs at the same rate as residents of other ethnicities, are way overrepresented in Hawaii’s incarcerated populations.

There is a disconnect between residents’ attitudes toward people who use drugs and the penalties we levy on them. Most folks in Hawaii recognize that arrests for possession of amounts for personal use do nothing to address underlying issues of dependence. And even if the numbers locked up for drug possession per se are small, a large percentage of property and other crimes are driven by an underlying addiction. And sadly the number of treatment slots available is way down from what it was 15 or 20 years ago.

There are a few active projects now throughout the country that have in effect decriminalized small amounts of all drugs to good effect. These are highly relevant to the study proposed here. The first of these, developed in Washington's King County, now has years of solid data. Law Enforcement Assisted Diversion (LEAD) a pre-booking diversion program, shows impressive outcomes saving money for the city and county by diverting people from prisons, getting them to embrace a "social contract", assigning them case managers, and aiming to improve their quality of life and that of their communities without coercion. Intensive outreach programs are a major component of this approach and recidivism among the participants is 58% lower than that of comparable populations. LEAD programs are now underway in places as diverse as Albany, N.Y., Santa Fe, N.M., and many other jurisdictions are actively pursuing it.

There have been many proposals for decriminalization of marijuana that have come before this body for the last many years. It seems to us that these measures, which substitute civil sanctions for criminal ones, would be important for LRB to look at as potential models since the underlying rationale and principles are the same, whether we're talking about cannabis or all currently illicit drugs.

By the same token, it would be timely for LRB to also look at a growing trend in the nation, and that is the full legalization of marijuana. By the end of the calendar year, there will likely be more states that have fully legalized cannabis through voter initiatives and there are also several state legislatures actively considering it. It seems to us that any comprehensive study looking at ways to thoughtfully reform our drug laws, cannot afford to overlook this issue that's going to become ever more inevitable as this decade goes on.

Mahalo for hearing this important resolution today and for giving us the opportunity to testify.



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

TO: Senate Committee on Judiciary and Labor
FROM: Carl Bergquist, Executive Director
HEARING DATE: 18 April 2016, 2:30PM
RE: HCR127 HD1, Measure Title: "REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE FEASIBILITY AND ADVISABILITY OF DECRIMINALIZING THE ILLEGAL POSSESSION OF DRUGS FOR PERSONAL USE IN HAWAII"
IN STRONG SUPPORT

Dear Chair Keith-Agaran, Vice Chair Shimabukuro and Committee Members:

The Drug Policy Forum of Hawai'i (DPFHI) **strongly supports** this resolution urging the Legislative Reference Bureau (LRB) to study the effects of the decriminalization of drug possession for personal use in Hawai'i. The benefits of doing so are numerous: from decreasing the prison population, actually helping drug users with treatment rather than locking them up, and freeing up public resources to deal with more pressing issues.

The proposed study has already [garnered attention from national media](#) due to its pioneering nature. Moreover, it is in line with the spirit of our times. Tomorrow, the three day the [United Nations General Assembly Special Session on the World Drug Problem](#) convenes. Ahead of it, over 1,000 dignitaries, including Hawai'i House of Representative Speaker Joe Souki, Hawai'i Senate Vice President Will Espero, former Governor Neil Abercrombie and eBay founder Pierre Omidyar, [have signed onto a letter](#) calling for an end to the "disastrous War on Drugs".

Further, the world's leading medical journal, [the Lancet, and Johns Hopkins University have just released a report calling for decriminalization of drugs](#), and instead focusing on scientific evidence that can help deal with what are very real public health crises. The current zero tolerance approach has undermined public health, human rights and development. By conducting this study, Hawai'i can help trail blaze while addressing our homegrown problems related to overcrowded prisons, the racially disparate impact of our drug laws and public health from the use of opioids, crystal meth and other drugs to the transmission of diseases like HIV and hepatitis C.

Mahalo for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HCR127 on Apr 18, 2016 14:30PM
Date: Friday, April 15, 2016 4:27:12 PM

HCR127

Submitted on: 4/15/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Khara Jabola Carolus	Hawai'i Coalition for Immigrant Rights	Support	Yes

Comments: On behalf of the Hawai'i Coalition for Immigrant Rights, the immigration arm of Faith Action for Community Equity (FACE), I would like to thank the Committee for hearing this measure and for the opportunity to testify in SUPPORT of H.C.R. 127, which requests LRB to conduct a study on the feasibility of decriminalizing illegal drugs for personal use in Hawai'i. The State's long reliance on the War on Drugs has fragmented and increased harm to our communities. Criminalization has proven wholly inadequate to address the core of modern drug issues. The ill effects of our harsh drug policy has been researched to death. It is time for the State to instead commit to a formal study that will serve to inform our understanding of how to craft alternative, effective policies that reduce drug-based incarceration and addiction, both of which continue to carry tremendous fiscal and human costs to our State. We urge your favorable consideration of H.C.R 127.

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

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TESTIMONY

**The Libertarian Party of Hawaii
c/o 1658 Liholiho St #205
Honolulu, HI 96822**

RE: HCR 127 to be heard Monday April 18, at 2:30 PM in conference room 325

SUPPORT WITH RECOMENDATIONS

To the Members of the Senate Committee on Judiciary

On March 16th the Star-Advertiser printed an editorial written by three former Latin American presidents attacking US drug policy and its horrific consequences. It should be clear from the most neutral observation that our criminal justice oriented “war on drugs” has not had any desirable results. A reasonable comparison with any other model, including the type of broad legalization that was US policy prior to the Harrison Narcotics Act of 1914, would indicate we are worse off now under criminal law than we were with legally available cocaine, heroin, and other dangerous drugs. Yet the American tendency to be influenced by the rhetoric of hate, fear and ignorance continues to block intelligent changes aimed at reducing overall harms.

In the House committee members choose to limit the scope of this study to decriminalization of the possession of small amounts of drugs in relation to the policy now in effect in Portugal. This was in consideration of the limited resources available to the Legislative Reference Bureau to conduct the study. **We highly recommend** that the wording allow the LRB to solicit research that may be available on a much broader area of reform and include it as an appendix to their work. In their own verbal statements to the House Committee they indicated the drug policy reformers sitting in the room that day might be better equipped to produce the research sought by legislators.

Sincerely:



Tracy Ryan, Chair

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for HCR127 on Apr 18, 2016 14:30PM
Date: Sunday, April 17, 2016 11:24:29 AM

HCR127

Submitted on: 4/17/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Don Heacock	Individual	Support	No

Comments: I strongly support the passage of HCR 127, it is based upon good science, it is socially equitable, and badly needed. Sincerely, Donald E. Heacock PO Box 1323 Lihue, HI 96766

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Subject: Submitted testimony for HCR127 on Apr 18, 2016 14:30PM
Date: Saturday, April 16, 2016 2:44:08 PM

HCR127

Submitted on: 4/16/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
E. Ileina Funakoshi	Individual	Support	No

Comments: I SUPPORT HCR 127 HD 1.

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Date: Friday, April 15, 2016 7:06:41 PM

HCR127

Submitted on: 4/15/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Elijah Ariel	Individual	Comments Only	No

Comments: If you don't do something to decriminalize unnecessary situations you will end up having more people in prison than walk the streets. Please help people. Don't just throw them in jail and think you've solved anything!!

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Date: Friday, April 15, 2016 4:48:22 PM

HCR127

Submitted on: 4/15/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Gladys Coelho Baisa	Individual	Support	No

Comments:

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Subject: *Submitted testimony for HCR127 on Apr 18, 2016 14:30PM*
Date: Sunday, April 17, 2016 12:28:33 PM

HCR127

Submitted on: 4/17/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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Subject: *Submitted testimony for HCR127 on Apr 18, 2016 14:30PM*
Date: Friday, April 15, 2016 6:40:31 PM

HCR127

Submitted on: 4/15/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph A. Bobich	Individual	Support	No

Comments:

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Subject: Submitted testimony for HCR127 on Apr 18, 2016 14:30PM
Date: Saturday, April 16, 2016 4:06:40 PM

HCR127

Submitted on: 4/16/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Gordon	Individual	Support	No

Comments: Aloha ! I Strongly SUPPORT HCR 127 to conduct a Study on decriminalizing the illegal possession of drugs for personal use. My support is based on the following points: - The archaic War on Drugs,as most will agree has been a failure on limiting and stopping drug usage - The National Research Council Committee has found that incarceration shows little evidence of its effectiveness on stopping drug use. Illegal use of any drug should be a treatment and education issue, not a law enforcement issue. - Treatment is needed for offenders, not locking them up and then after release. many resort to the same behaviour. - Locking offenders up not only adds to our already overcrowded jails, but adds very significantly to high public costs. The majority of people arrested are for possession only by non-violent offenders. - Washington State has a successful program (L.E.A.D.) which follows the National Drug Control Strategy recognizing that many people charged with drug-related crimes are afflicted with an underlying substance abuse disorder that focuses on drug treatment instead of prison. - Criminalization is fueled, as we know in many cases by racial profiling. The Office of Hawaiian Affairs states Native Hawaiians do not use drugs at different rates than other groups, but they are far more likely to be sent to prison. Again, Treatment and not Imprisonment is the answer to drug offenders. Mahalo for allowing me to share my observations and comments. Mark Gordon Waikoloa HI.

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Subject: Submitted testimony for HCR127 on Apr 18, 2016 14:30PM
Date: Saturday, April 16, 2016 7:25:44 AM

HCR127

Submitted on: 4/16/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matt Binder	Individual	Support	No

Comments: Come on! This is WAY overdue. Join the 21st century. Putting people in prison for drug use? Is that a good idea? If it weren't already the law, would you support a bill to criminalize the casual use of marijuana? If not, please vote for this resolution and educate yourselves and the public as to the benefits of decriminalization.

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Date: Sunday, April 17, 2016 8:55:20 AM

HCR127

Submitted on: 4/17/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Quinn	Individual	Comments Only	No

Comments: There is masses of evidence that criminalizing drugs does not keep people from using them, and stigmatizes addiction. Furthermore, the war on drugs has done an incredible amount of damage in this country by putting large numbers of people in jail for victimless crimes. In the United States, one the most dangerous drugs is glorified regularly. Alcohol causes people to make worse decisions, and causes more deaths than any other drug, yet it is not only legal, but available everywhere and completely normalized within American culture. If we want to create a culture which does not stigmatize addicts we must consider decriminalizing drugs in the future. Punishment is not an effective deterrent and we have seen this time and time again. Evidence suggests that the criminalization of drugs exists largely in order to support the prison industrial complex, and has a large interest in keeping the prison populations full. There is no large-scale evidence whatsoever that specific psychedelic drugs such as mushrooms or LSD have ever caused individuals to be violent or harm themselves or others, and the reason they are criminalized is uncertain. Portugal has abolished all criminal penalties for the possession of drugs, and we should look to do so in the future as well.

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HCR127

Submitted on: 4/17/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Miles W. Tuttle	Individual	Support	Yes

Comments: Children are the innocent victims of this failed, "racially biased" war on drugs.

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HCR127

Submitted on: 4/15/2016

Testimony for JDL on Apr 18, 2016 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments:

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