



RILEY COUNTY POLICE DEPARTMENT

To reduce crime and improve the quality of life for the citizens we serve

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Senate Committee on Federal & State Affairs Testimony in Opposition to Senate Bill 135 March 16, 2023

Chairman Thompson and the Members of the Committee:

My name is Brian Peete and I serve as the Director of the Riley County Police Department. As you contemplate this important public policy decision, thank you for the opportunity to provide testimony in opposition to Senate Bill 135.

There are many existential-based arguments regarding legalization of cannabis and cannabis-based products that come down to each individual based on experiences and preferences unique to them. We must be forthcoming and honest with each other that the intent of this Bill is to be a catalyst, the first step, in the total legalization of cannabis. For decisions like these, I try to remain objective and hold fast to the quote attributed to philosopher George Santayana (and Winston Churchill who paraphrased him) that “those who cannot learn from history are doomed to repeat it.” The first question I ask myself is “*What have we learned as a collective community about this or similar circumstances?*” Here is just a little of what I found.

A 2016 Boston University study¹ found an increase in the number of ED visits and hospitalizations related to acute marijuana intoxication. That same article noted significant increases in unintentional marijuana exposures in children younger than 12 years of age.

In 2019, the National Center for Biotechnology Information’s Library of Medicine published information from the Western Journal of Emergency Medicine where data found cannabis legalization led to significant health consequences, particularly to patients in emergency departments and hospitals in Colorado, with the most concerning including psychosis, suicide, and other substance abuse.²

A 2019 CNN story that cannabis-related ER visits in Colorado jumped threefold after legalization.³

In 2021, Colorado’s Division of Criminal Justice published its findings where over the past ten years, Colorado saw increases in marijuana-related hospitalizations, ER visits, poison control calls, DUIs, and fatal crashes where drivers tested positive for cannabinoids.⁴

SAMHSA noted “real risks” from marijuana that can impact a person’s health and life: Approximately one in ten people will become addicted, and if started before the age of 16, that addiction rate rises to one in six. SAMHSA also noted negative and long term affects to brain and

¹ <https://www.bumc.bu.edu/emergencymedicine/files/2016/08/MJ-legalization-and-impact-on-EM-care.pdf>

² <https://pubmed.ncbi.nlm.nih.gov/31316694/>

³ <https://www.cnn.com/2019/03/25/health/edible-cannabis-emergency-visit-study/index.html>

⁴ <https://dcj.colorado.gov/news-article/colorado-division-of-criminal-justice-publishes-report-on-impacts-of-marijuana>



mental health, athletic performance, driving, baby's health and development, and overall daily life.⁵

Through the lens of lessons learned with other addictive drugs and products (alcohol, tobacco, and vaping) organizations such as MADD, KHDE Kansas Vape-Free Schools program, the Campaign for Tobacco-Free Kids, have come into existence because the dangers posed to individuals and our communities as a whole. Even Kansas' own Centers for Disease Control and Prevention's published a factsheet on Extinguishing the Tobacco Epidemic in Kansas. How much has this fiscally costs our communities as a whole?

We must also be cognizant of the potency of narcotics, and how that potency increases exponentially from year to year. This includes marijuana. Even "High Times", a publication advocating marijuana use and legalization, acknowledged such and wrote of a comparison to marijuana from 1978 to now, "Today, that kind of weed wouldn't even get you high."⁶ What are the potency levels now, and how far will they be pushed in the future to bypass the human body's resistance in continuously chasing that "next high?"

In reviewing the proposed bill, I have questions of and fear unintended consequences for the following:

1. Unobjective/Impartial Boards that have the autonomy to determine supply and administrative rules and regulations.
2. Ineffective systems that do not have safeguards in place to protect young people, that prevent diversion, or result in increases in illicit activity (e.g., black market sales that skirt compliance already exist).
3. Regulations and guidelines about inmates/persons in custody. There are cases in other states where agencies have been sued for discrimination if marijuana is not supplied to cardholders.
4. The penalty for possession of 1.5oz or less becomes an unclassified misdemeanor which essentially decriminalizes this drug making people more apt to use it recreationally.
5. My officers cannot confirm validity of a card issued from another state.
6. There are no accepted methods to determine marijuana intoxication for DUI. Officers cannot enforce specific cannabis-related impairment.
7. Investments in training police K9's in drug detection: all such K9s will no longer be effective in narcotics detection.

Our conversations on cannabis should revolve around treatment alternatives. In the start of this letter, I wrote that I wanted to avoid existential discussions, but I must acknowledge we all rely on our personal feelings in making final decisions, so please allow me as a father and Kansan to pose this question to you in your respective roles as legislators:

If my child or yours asked you if they should use a cannabinoid or marijuana, what would you say?

I do not envy our elected officials because of the challenges and decisions you must make. I applaud your service and you will always have my utmost respect. It is the highest priority for those of us in public service to safeguard our communities. It is in this space that I look at the passage of legislation through the lens of how does a new law make my community and especially my family safer.



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⁵ <https://www.samhsa.gov/marijuana>

⁶ <https://hightimes.com/culture/potent-pot-weed-getting-stronger/>

