

With the Passage of Drug Paraphernalia Reform, Hawai'i is Poised for Brighter, Healthier Future

FOR IMMEDIATE RELEASE, 19 July 2017

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HONOLULU, HI – On July 3rd, Governor David Ige signed [HB1501](#) into law as [Act 072](#). As of that date, Hawai'i has one of the most forward-looking drug paraphernalia laws in the entire country. Drug users will no longer feel compelled into accepting a plea bargain that will turn them into felons for possessing syringes, pipes and other forms of paraphernalia in cases where the evidence of law enforcement is otherwise weak. Instead of winding up in the state's overcrowded, [and per the ACLU "unconstitutional"](#), prison system, the users will be assessed a fine of up to \$500, and be able to seek treatment if they so choose and need. With treatment services stretched, it is important to view this new law as part of a different approach, as a shift from punishment to public health. State money saved in the prison system can instead be channeled into helping those dealing with addiction. Similarly, City and County money will be saved when arrests are avoided.

As part of this approach, the Governor also signed other bills to combat the opioid epidemic ([SB505/Act 066](#)) and to improve aspects of the medical cannabis programs ([HB1488/Act 041](#)). Further, the [enacted state budget](#) now includes funding for a pilot project of a pre-arrest program called [Law Enforcement Assisted Diversion \(LEAD\)](#). LEAD empowers police to refer certain vulnerable individuals to a case worker instead of placing them under arrest. Importantly, these efforts will continue to be led by the Hawai'i Department of Health (DOH) in tandem with the community. DPFHI Executive Director, Carl Bergquist, adds:

"The passage of paraphernalia reform, the other bills and the role of DOH send exactly the right signal that personal drug use is primarily a public health instead of a law enforcement concern. We appreciate Governor Ige and the Legislature's leadership, standing in stark contrast to the War on Drugs mentality that pervades the White House, and we are hopeful that additional steps in this direction will be taken soon."

Hawai'i legalized medical cannabis in 2000, and the first retail dispensaries are about to open. There are now 29 states plus the District of Columbia (D.C) that have some form of legal medical cannabis. Meanwhile, eight states and D.C. have legalized adult use cannabis. [Moreover, in order to tackle racial disparities, reduce incarceration and address public health, the Oregon state legislature recently defelonized the possession of numerous drugs.](#) At a time when states must assume the lead to protect the vulnerable, including immigrants, [Hawai'i is on the right track.](#)