

February 6, 2024

Senate Committee on Judiciary and Hawaiian Affairs; and Senate Committee on Health and Homelessness

Hearing Time: 2:00PM

Location: State Capitol Conference Room 325

Re: HB1596, Relating to Controlled Substances

Aloha e Chair Tarnas, Vice Chair Takayama, and members of the Committee on Judiciary and Hawaiian Affairs; and Chair Belatti, Vice Chair Takenouchi, and members of the Committee on Health and Homelessness:

On behalf of the Opportunity Youth Action Hawaiʻi hui, we are writing in **strong support** of HB1596, relating to controlled substances. This bill exempts drug paraphernalia for marijuana from certain penalties under the Uniform Controlled Substances Act. It also makes the possession of less than one ounce of recreational marijuana a non-jailable violation punishable by a fine of $25.

HB1596 represents a significant step forward in addressing the evolving landscape surrounding marijuana use. The possession of small amounts of recreational marijuana for personal use has been decriminalized or legalized in many jurisdictions across the country. By aligning our state’s laws with this trend, HB1596 acknowledges the need for a more proportionate response to marijuana-related offenses.

Native Hawaiians are arrested for marijuana possession six times more often than their share of the statewide population. This pattern is mirrored in disparities identified for Native Hawaiian juveniles in many other areas of the Hawai‘i criminal justice system. Importantly, increases in possession enforcement are not driven by increased consumption. Among juveniles, arrests for possession increased by over 5% while the highest available consumption estimates showed a 20% reduction, demonstrating that arrests are driven by factors largely if not entirely unrelated to changes in consumption. (Public Policy Center, University of Hawai‘i).

Opportunity Youth Action Hawaiʻi is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally informed approaches among public/private agencies serving youth.

**Please support HB1596.**

1099 Alakea Street, Suite 2530 | Honolulu, Hawaii 96813 | (808) 447-1840

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