

PA 11-073

SB1098

House	9254, 9289-9290	3
Judiciary	2488-2490, 2658-2666, 2699, 2735-2736, 2759, 2819, [2845- 2847], 2887-2913, 2943	48
<u>Senate</u>	<u>5975-5989</u>	<u>15</u>
		66

H – 1118

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 27
8965 – 9294**

law/lxe/jr/fst/gbr
HOUSE OF REPRESENTATIVES

769
June 7, 2011

which is Senate Bill 888; Calendar 570 which is Senate Bill 1201; Calendar 542 -- I'm sorry. I don't have the bill number. Is Senate Bill 863. And Senate Bill -- I'm sorry, Calendar 632. SB 1098

SPEAKER DONOVAN:

Representative, you want to check Calendar 542. I believe it's --

REP. SHARKEY (88th):

Yes, 542 is -- pardon me, is Senate Bill 852.

SPEAKER DONOVAN:

Very good, thank you, sir.

REP. SHARKEY (88th):

So I move these onto the consent calendar. We'll be having some other bills that we're going to be adding to that consent calendar shortly once we adopt the amendments, and then we can vote on those.

SPEAKER DONOVAN:

Thank you, Representative.

REP. SHARKEY (88th):

Thank you.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

I just want to make sure the board there is straight,

THE CLERK:

What page is it on?

SPEAKER DONOVAN:

Clerk, please call Calendar 592 which is the beginning of the Consent Calendar.

SB 863 SB 1201
SB 852 SB 888
SB 377 SB 1216
SB 1003 SB 371

THE CLERK:

On page 32, Calendar 592, Substitute for Senate Bill Number 858, AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION STATUTES.

SB 1112
SB 881 SB 1076
SB 518 SB 1098

A VOICE:

Mr. Speaker, this represents the Consent Calendar, and I would move that we vote on it as such.

SPEAKER DONOVAN:

There's a Consent Calendar. Staff and guests, please come to the well of the House. Members take their seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting the Consent Calendar by roll call. Members to the Chamber.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board. Make sure your vote's been properly cast. If all the members have voted,

law/lxe/jr/fst/gbr
HOUSE OF REPRESENTATIVES

805
June 7, 2011

the machine will be locked. The clerk will please take a tally. Clerk please announce the tally.

THE CLERK:

On today's Consent Calendar:

Total number voting 139

Necessary for passage 70

Those voting Yea 139

Those voting Nay 0

Those absent and not voting 12

SPEAKER DONOVAN:

The Consent Calendar's passed.

Any announcements or introductions?

Representative Piscopo.

REP. PISCOPO (78th):

Good morning, Mr. Speaker. For a general rotation.

SPEAKER DONOVAN:

Please proceed, sir.

REP. PISCOPO (78th):

Will the general please notes that Representatives Kokoruda and Noujaim missed votes ue to you illness in the family. Representative Rigby missed votes due to business in the district. Will the transcript please note that Representatives Candelora, Wood and Williams

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 8
2304 – 2639**

2011

Seeing none, thank you very much, sir.

NICHOLAS PAYNE: Thank you.

SENATOR COLEMAN: Senator Stillman.

SENATOR STILLMAN: Good afternoon.

SENATOR COLEMAN: Good afternoon.

SENATOR STILLMAN: Senator Coleman and Representative Fox and members of the Judiciary Committee, I'm Andrea Stillman. I'm the state senator of the 20th District, and I'm here to urge your support and approval of House Bill 1098, AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA AND SALVIA DIVINORUM.

Based on law enforcement encounters, these substances are typically found laced on plant material. The plant material is packaged in small pouches or packets and is being sold in tobacco and smoke shops, drug paraphernalia shops, gas stations, convenience stores as herbal incense products giving customers of all ages direct access to these substances. And by "all ages," I mean kids well under 18, let alone 21.

Research articles propose that the packaging is professional, inconspicuous, targeting young people possibly eager to use cannabis but who are afraid of being caught with illicit drugs. Fake marijuana products often sold as K2 or Spice can be from five to 25 times more potent than THC, the active ingredient in the real thing.

Salvia divinorum, often and commonly referred to as "sage" is described by one nationally recognized expert in the field, as the most potent naturally occurring hallucinogen. Each of these products can powerfully and dangerously alter perceptions and judgment of the user.

The federal government has responded now and our state government must follow suit. Earlier this year, the DEA used emergency authority to classify the chemicals used in synthetic marijuana as Schedule I controlled substances, and House Bill 1098 would similarly restrict the sale and use of these products used to coat otherwise innocuous herbs to create K2 and Spice in our state. As many as two dozen other states have enacted or are considering laws to do so and Connecticut should be the next one as well.

The use of salvia divinorum can alter the perception and judgment of the user and can cause profound hallucinations. Sage affects receptors in the brain that are responsible for pain control and is said to be responsible for some psychiatric disorders. It is most commonly used by youth ages 18 to 25 and believe it or not 6 percent of 12th graders nationally have admitted to using it this past year. Sadly just last week a 21-year-old film student who was under the influence of salvia jumped to his death from the 15th floor balcony in New York. According to the girl he was with, he just ran and hopped over the fence and had no idea who he was or what he was doing. Nineteen states have banned or restricted the distribution and sale of salvia divinorum and are at least considering doing so. And, again, I'd like Connecticut to follow suit.

If one of our purposes in state government is to protect the public health and well-being of individual residents, particularly young people, our state must carefully scrutinize these products and their active ingredients and decide to classify them among other controlled substances. Young people commonly susceptible to peer pressure, trendy behavior and who are not yet old enough to purchase alcohol legally must

not have ready access to these products.

Thank you very much. I urge your support, and I also wanted to mention that I am supportive House Bill 6391, the ignition interlock devices, I think, are crucial to safety as well.

Thank you.

SENATOR COLEMAN: Thank you, Senator.

Are there questions or comments for Senator Stillman?

Seeing none, thank you very much, Senator.

SENATOR STILLMAN: Thank you.

I'd just like to add one little thing if I may before I leave the microphone.

I just wanted to let you know that recently in -- I come from Southeastern Connecticut near the naval base. They have actually ordered through their -- obviously, they can do that in the military -- they've actually ordered that their sailors not use it and they're prohibited from even frequenting the businesses around the sub base or anywhere that sell both K2 and K2 Spice. It's got a variety of names as well as salvia. So I just wanted to let you know that this is of really of military importance also.

Thank you.

SENATOR COLEMAN: Thank you. We appreciate that.

Michael Rinaldi is next to be followed by Chief Harry Rilling.

MICHAEL RINALDI: Good afternoon, Senator Coleman, Representative Fox and the distinguished members

[SB1015] [SB1014]
[SB953] [HB1544]

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 9
2640 – 2950**

2011

it for treatment of cancer and other end-of-life issues as they do in their hospitals.

MICHAEL ZACCHEA: In fact to your point, the VA Hospital would be an ideal delivery mechanism, a delivery vehicle, delivery channel to that because it's already in place. It's just a matter of, you know, making the connection. But it seems like they have a certain, you know, check the block if you have traumatic brain injury and this is the drug you get if you have posttraumatic stress disorder and you get this without any consideration of any alternative.

SENATOR COLEMAN: Thank you gentlemen and, as I'm sure you're aware, we greatly appreciate you.

DENNIS CARNELLI: Thank you, Mr. Chairman.

MICHAEL ZACCHEA: Thank you, Mr. Chairman.

SENATOR COLEMAN: Paul Zagorsky. Jennifer Zito.
Bonnie Smith?

MICHELLE DEVINE: Hello. My name is Michelle Devine. I'm speaking for myself and Bonnie Smith who had to leave. I'm just a little bit down on the list so I'm going to try to combine two testimonies, spice it up a little bit and talk about the two current legal drugs.

Senator Coleman, Representative Fox and members of the Judiciary Committee, thank you so much for the opportunity to speak today in support of Raised Bill 1098.

My name is Michelle Devine, and I am vice president of the Connecticut Prevention Network, which makes up the 13 regional action councils in Connecticut. It is part of our mission to reduce the impact of substance abuse in our communities. We do this through data, informed prevention

planning, and collaboration with community members and local organizations.

Safety concerns about these two drugs, salvia and K2, two separate drugs, which I'll speak about have existed for several years. In the past two years, there has been increased urgency expressed by local police, school systems, parents, colleges, youth-serving organizations to address the issue as there have been many, many serious medical emergencies related to the use of these drugs.

Although these drugs have been marketed as natural and harmless, they are mind altering and dangerous. They are sold at our corner convenient stores and smoke shops next to drug paraphernalia, such as pipes and rolling papers. There are no restrictions on the purchase of these products at this time. They're -- the availability of these drugs must be controlled for the safety of the community.

Until recently, the users of these drugs have had free rein to use during school, at work, on parole, during any other situation or time of day. Now that it has gained media coverage the right people are asking the right questions and finding out that we are on the verge of a serious problem. Our office has been fielding phone calls on a daily basis and collecting data of what -- from our communities' members on what's happening regarding these substances.

Documented effects of salvia include -- salvia hallucinogen, similar to LSD, disorientation, dysphoria, loss of coordination, loss of consciousness. Synthetic cannabis, which is also known as K2, Spice or Spice Gold, can affect judgment, coordination, learning and memory, physical and mental health. Just to note, the synthetic cannabis or -- was originally -- was

created so that they could study it legally for the effects of the THC in marijuana on medical -- for medical purposes. The chemical combination was -- had gotten out there, and now it's being released and sold in our stores.

Because of the urgency of this matter, we have attached language that we believe the committee should incorporate into the bill that would provide that the commissioner prints notice of the intent to adopt the regulation in the Connecticut Law Journal, no later than 20 days after the date of implementation ensuring that these regulations go into effect as soon as possible.

You may have seen several news articles discussing these issues that have impacted us nationally and in Connecticut, you may -- both drugs making national headlines. The Arizona man who shot Representative Giffords and killed community members had a history of using salvia. Towards the end of 2010, Miley Cyrus, a teen idol, was videotaped using salvia, sending an inaccurate message to our youth about the safety and pleasure related to its use.

These are designer drugs to created -- created to avoid current laws. The goal is satisfy the users demand for popular drugs that can be obtained without prescription or other legal restraints.

In our -- in my area of Connecticut, Southeastern Connecticut, we need to understand what we're hearing again on a regular basis. We know that the drug is being used on the college campuses, military personnel, young adults, 22 to 28, and individuals on parole. It is quickly gaining momentum throughout other populations and communities.

Students that I have spoken to in high school and college readily admit, what is anyone going to do about it, it's legal and it's sold everywhere. They come to school smoking or high on K2.

We've incorporated awareness education into all our current drug trends workshops. Through our efforts, we've educated school resource officers, police officers, high school and college health staff, resident directors and anyone that works with youth. We need support at the local level to deal with the drug as it's being used in our school and in our community.

Evidence shows that a tiered approach, including education, policy development and enforcement will ensure positive outcomes in prevention. We ask that you support Raised Bill 1098 and send the message that using salvia and synthetic marijuana is not a safe choice for anyone.

Thank you.

REP. FOX: Thank you very much.

Are there any questions?

Senator Kissel.

SENATOR KISSEL: Thank you.

What kind of message do you think this legislature is sending if we sort of ramp up and make this a controlled substance and at the same time decriminalize marijuana itself because to me those are sort of two different things.

MICHELLE DEVINE: Well, we were -- we have submitted testimony that we are in opposition of the bill to decriminalize marijuana so that is submitted.

I believe that -- and for many reasons, I believe

that everyone has stated there is potential medical properties of marijuana but we need to let those in the medical field, you know, study that first. These have, right now, no medical properties. They are being sold with no restriction at all.

Marijuana, at least, we have some -- they are illegal currently. It is illegal currently, these are not illegal. They're sold in the convenient store. And 8-year-old, 13-year-old, 16-year-old can go and purchase it.

The DEA has put a temporary ban on them, but it is not going to reach our local stores quickly or efficiently. And we need our local schools and police officers to have some, you know, teeth to do something about this.

SENATOR KISSEL: Thank you.

Thank you, Mr. Chair.

REP. FOX: Thank you.

Are there any other questions from members of the committee?

Seeing none, thank you very much.

Next is Meagen Wentz.

MEAGEN WENTZ: Good evening, my name is Meagen Wentz and I'd liked to ask that my colleague, Dr. Jonathan Pohl, who is a little bit further down the line join me (inaudible).

REP. FOX: Sure, okay.

JONATHAN POHL: My name is Jonathan Pohl. I'm a SB1098 clinical psychologist and work as the alcohol and drug education coordinator for Central

Connecticut State University.

I've been working with college students for the past several years as a counselor and currently the drug and alcohol education prevention specialist. I encourage students to make choices to their benefit to get them closer to their goals. There has been a rise in the use of salvia and K2, especially among young adults, which may impede their efforts academically. Many students mistakenly believe that these substances are safe because they are legal. A number have used the synthetic marijuana because of standard drug test, screen test doesn't test for these substances.

K2 and salvia are readily available to students, especially K2, which is sold as incense with no age restrictions. I was able to purchase a sample of synthetic marijuana for presentation purposes at an establishment on the corner of the campus. The sample I purchased was labeled, "not for consumption," but if you look at the packaging of the product and the website, one can't help but believe that this synthetic marijuana is for smoking. With salvia and K2, the affects are quite variable and can cause severe reactions, including racing hearts, extreme anxiety, and hallucinations.

This would certainly impair student's capacity to learn and recall information. These substances have not been tested in the manner they're being used. We do not know the long-term effects which could include impaired cognitive functioning. I don't believe these substances are safe in their current form and I support this bill, SB 1098.

Thank you.

MEAGEN WENTZ: My name is Meagen Wentz, and I'm the wellness program administrator with the Office of

Alcohol and Drug Education at Central Connecticut State University. I work with a group of students called "Natural Helpers" and they're peer educators that educate the college campus about drugs and alcohol, and we do surveys every two years on campus. From our 2010 survey data, it tells us there's a significant difference between perception versus reality about marijuana use on campus. Of the students surveyed, 73.6 percent believe that everyone smokes marijuana every day. When in reality, only about less than 17 percent of those students surveyed say that they smoke on a daily basis.

A similar misperception exists with K2 and salvia. The students think that it's safe. They think because it's something that isn't -- that doesn't come up on a drug test that it's safe for them to use. They're safe from the police. And that it's also safe for them to put in their bodies. Not enough people are educated on those chemicals and because of this we don't know enough about the substance. I support the (inaudible).

Thank you.

REP. FOX: Thank you for your testimony and thank you for waiting all day to -- for your opportunity.

Are there any questions?

Senator Kissel.

SENATOR KISSEL: Again, trying to, sort of, coherent legislative plan, do you see a disconnect between of trying to ramp up protections and making these drugs controlled substances while at the same time this legislature's contemplating decriminalizing the real marijuana and turning it into an infraction.

SB 1015 HB 686

And also I'd like to hear your insights or recommendations. With alcohol, we have strict parameters regarding minors and there's nothing in the decriminalization bill that -- that touches that minor issue. So that if your 14, you just pay the ticket just like anybody else.

And so we were -- we were taking a whole drug that's illegal, and we're going to make it an infraction and there -- therefore, my guess is, is that it's highly accessible by minors. What's your opinions regarding those things?

JONATHAN POHL: For the first part, it would lead to a mixed message similar to helmet laws for -- in fact, we don't have helmet laws for motor cycles, but we do have seat belt laws. Again, there's a mix message there that's given to people. (Inaudible) going to be one component of this.

It would be nice if that the second bill, concerning marijuana, could include education as a portion of it. I'm sure that they'll go further. So that individuals who were given this citation as opposed to just mailing in a fine would also be in a position to learn further about marijuana and other choices.

SENATOR KISSEL: And do you think that if we decriminalize marijuana, there should be some kind of threshold regarding minors or people under 21?

JONATHAN POHL: Absolutely.

SENATOR KISSEL: If we're going to have a carve-out for mandatory education my guess is that we should at least require it of young people.

You know, depending on what bill we have before us on any given day, you know, we'll hear that -- and I agree with raising the age because young

people don't have mature brains to make decisions. And we've had professors from Dartmouth come and talked to us and say, if you ask an adult if you want to jump into a pool full of sharks, they'll say absolutely not; and if you ask young people and they'll go, well, the sharks had supper maybe they won't bother me, they make crazy decisions.

And so that -- so if we're -- so if we understand that as a concept regarding young people in our society and we want to move forward to, sort of, craft out bills that address that shortcoming that young people have because they don't have fully matured senses of danger, then at the same time, I think if we're going to move in a different direction where we have substances that, if abused, clearly can put reduced people's threshold for making these judgments that we need to be similarly sensitive to the fact that young people in our society, you know, they can make bad decisions and their whole lives are ruined. And I'm just hoping that we can figure a way to do all that sometime soon.

Thank you for coming.

JONATHAN POHL: Thank you.

REP. FOX: Thank you.

Are there any other questions?

Thank you very much for your testimony today.

Next is Holly Murphy.

HOLLY MURPHY: Good evening.

REP. FOX: Good evening.

HOLLY MURPHY: My name is Holly Murphy. This is my

SB1015

crash effect. Life simply returned to normal. There was no itch for the next hit. No change in my personality other than I was more in a good mood, like having a really good day you just want to tell people about it. My life was showing un -- my life was so usual that my family didn't even know I smoked until I was interviewed in the newspaper about it. This proved one thing that cannabis does not ruin families. However, the war on drugs has. My family was more upset that I had done something illegal than harm someone. I also have a 3.56 GPA and I have made the dean's list at NCC this semester, Norwalk Community College, higher grades than I've ever had previously, proof that cannabis doesn't inhibit -- inhibit mental performance.

My situation is the rule not the exception. To my knowledge I am not special at all, which is why my reaction is like most people I've ever known. It's important that science is allowed to study independent reports on cannabis and know where the small threats lie for people who may have them. Not every drinker is an alcoholic. And I am sure that after session today, some of you will seek a cold one, some won't.

I close my testimony with this consideration. For those who feel like cannabis consumption is sin, Mark 7:15-16 states, nothing outside a man can make him unclean by going into him, rather is what comes out of a man that makes him unclean.

Thank you.

JOSEPH ABAMAITIS: I'd like to talk about the -- the bill that is trying to ban on salvia divinorum and also medical marijuana and decriminalization.

SB1098 SB1014
SB1015

Salvia divinorum, if you don't know, it's a plant that's indigenous to Oaxaca, Mexico. It's a --

Paul Blasenheim.

Mr. Malo, did you have something further you wanted to say to the committee?

DANIEL MALO: (Inaudible.)

SENATOR COLEMAN: It's what?

DANIEL MALO: (Inaudible.)

SENATOR COLEMAN: Please come forward.

DANIEL MALO: Good evening, night crew and day crew.

I spoke earlier in support of any progressive cannabis reform, and I -- I stand by that.

But what I would like to cover in my testimony right here is the school zone. I think regarding school zones urban residents are unfairly placed pretty much in a school zone just by where they live. They've got that additional charge that really only comes from the fact that they live near a school. They're not being peddled, drugged, you know -- they're not peddling drugs on the corner to school children. School children, more than likely, will get this from their friends first.

SB 952

But I am in support of the school zone legislation. Too many people have told me what can I do, I live in a school zone. Well, I tell them, well, you overlap a few school zones, maybe you can get double jeopardy. But anyway SB 92 -- 952 I support.

I stayed around actually to make an important point regarding SB 1098. I've spoken to the sponsor of this bill with what I'm about to tell you. There must be an important distinction, K2 and Spice and salvia extract are chemical.

They're -- salvia, the plant, is not lab produced. It's had tens of thousands of years of safe shamanistic use, and the plant itself should be protected. The -- the extracts and K2 Spice, do what you want with them, but please protect the rights of people to use this plant.

It should be recognized. It's existed a long time. While the extracts are unregulated and regularly available at the corner store sometimes, these plant -- this plant is safe when used appropriately, and it should be protected.

Its legality is called into question only because these have been used as an alternative to cannabis, which if cannabis were legal, people wouldn't be migrating to a legal or untested substance to satisfy the cannabis demand. The human body has evolved with salvia. We have receptors for it. We don't necessarily have receptors to take the unnatural chemical that people use as a party drug now, which is unfortunate. Those extracts and the synthetic marijuana are not safe and not tested but the real thing is.

This is not the first time that people have shifted to a dangerous drug, and it really highlights the ineffectiveness of the war on drugs. We're debating -- criminalizing a synthetic compound at the same time which -- this is very progressive that we're talking about the decriminalizing and medicalizing marijuana, but the plant should be protected.

To get to the root of this issue, we should sponsor this -- these cannabis bills. It's smart policy; it'll provide a safer alternative than K2 or Spice. And it's really about moving beyond an outmoded stigma and a outmoded policy.

Any questions?

Judiciary Committee Hearing Monday 14th March 2011.
 Nicholas Payne speaking against SB 952, SB953, SB1014, SB1098 but in favor of
SB1015 HB6391, HB6554, HB6566 nwpayne@earthlink.net, 203 417 3978

Madame Chair, Mr Chairman and members of the Committee

I was here three weeks ago to speak in favor of the bill the register gun offenders. After out daughter Rebecca was murdered by mistake, it was not a great leap for me to consider that people who go and murder people they don't know is the hallmark of organized crime and in the current climate, drugs are almost certainly involved somewhere.

Last year I ran on the Green Party ticket for State Representative in the 67th District. I took the premise that much as we would like it to be otherwise, current drug policy does little to reduce the availability of drugs, but much to create violence and I don't want other parents to keep having to go through what we are going through. I proposed the legalization of marijuana and treating it like alcohol, Portuguese style dissuasion commissions for hard drug users and Swiss style provision of heroin as necessary to addicts in treatment. I am given to understand that the Portuguese Dissuasion Commissions are evoking some interest at DMHAS. Of the hundreds and hundreds of doorsteps I campaigned on, I must have had about a hundred "about times". Only two people argued for the status quo. One said he was a heroin dealer and I can see how what I proposed would play havoc with his business model and another was one of my daughter's contemporaries at High School and by repute at least, dealt drugs during his High School career. Of course you might be thinking that I might come over as a nice guy that people would declined to argue with, but I can tell you that that was not the case if I spoke about gun control.

Therefore I think SB952 is drug dealer heaven and taxpayer hell, because the smart dealers don't get caught anyway and are happy that the State is incarcerating their wannabe competition. Also I am not sure that kids buy their drugs anyway from scary drug dealers hanging around school yards but from kids they know in school. In truth it is not cost effective to jail such people anyway, the money is better spent on police patrols to keep moving them on and make it hard to do business. On no doorstep in New Milford did I hear people say drug dealers should be jailed, just that they should be driven out of the local parks.

SB1015, HB6554 and HB6566 however are steps in the right direction

I also support HB6391 since 30 years ago there were 3,500 prisoners and now there are around 18,000. Unfortunately this means that in certain neighborhoods there are enough men taken out of circulation to upset the natural balance. This destroys family cohesion and gives rise to likely a new generation of criminals in the next decade, that is perhaps sometime after the last taxpayer has left the State.

Ladies and Gentlemen of the Committee thank you for your time and forbearance.



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY

JOINT COMMITTEE ON JUDICIARY

In opposition to:

S.B. No. 953 (RAISED):

An Act Concerning Nonviolent Drug Possession Offenses

S.B. No. 1014:

An Act Concerning the Penalty for Certain Nonviolent Drug Offenses

In support of:

S.B. No. 1098 (RAISED):

An Act Concerning the Sale and Possession of Synthetic Marijuana and Salvia Divinorum

H.B. No. 6391 (RAISED):

An Act Concerning Penalties for Certain Driving Under the Influence Offenses, Offender Risk Reduction Earned Credits and Home Confinement for Certain Nonviolent Drug Offenders

March 14, 2011

The Division of Criminal Justice opposes S.B. No. 953, An Act Concerning Nonviolent Drug Possession Offenses, and S.B. No. 1014, An Act Concerning the Penalty for Certain Nonviolent Drug Offenses, both of which in layman's terms would "decriminalize" the simple possession of one ounce or less of marijuana. The Division supports and would recommend the Committee's Joint Favorable Report for S.B. No. 1098, An Act Concerning the Sale and Possession of Synthetic Marijuana and Salvia Divinorum, and H.B. No. 6391, An Act concerning Penalties for Certain Driving Under the Influence Offenses, Offender Risk Reduction Earned Credits and Home Confinement for Certain Nonviolent Drug Offenses.

POSSESSION OF MARIJUANA

The Division of Criminal Justice respectfully opposes S.B. No. 953, An Act Concerning Nonviolent Drug Possession Offenses, and S.B. No. 1014, An Act Concerning the Penalty for

TESTIMONY IN OPPOSITION TO EFFORTS TO LEGALIZE MARIJUANA IN CONNECTICUT
SB 1014 AND SB 1015, AND IN SUPPORT OF HB 6174.

Judiciary Committee
LOB Room 2500
300 Capitol Avenue
Hartford, CT 06106

Chairman Eric Coleman, Chairman Gerald Fox, Ranking Member John Kissel, Ranking Member John Hetherington and other distinguished Members of the Judiciary Committee.

Legalizing Marijuana Reflects an Indifference to Public Health

by Bertha K. Madras, PhD

I STRONGLY OPPOSE THE EFFORT TO LEGALIZE MARIJUANA IN CONNECTICUT SB 1014 AND SB 1015, AND IN SUPPORT OF HB 6174 AT THE PUBLIC HEARING

RESTRICTIVE MARIJUANA LAWS ARE DRIVEN PRIMARILY BY PERSONAL AND PUBLIC HEALTH CONSIDERATIONS.

Maintaining restrictions on marijuana are more compelling than ever, as marijuana potency and availability soar, in parallel with increasing scientific evidence of marijuana's adverse consequences.

(SB1098)

A. Why is Marijuana a Concern?

- 1. Acute effects of marijuana on brain function.** Unlike opioids, marijuana is not likely to cause death by overdose but it resides in Schedule I because of its high abuse liability, and no medical indications – essentially because it adversely disturbs brain function and biology. A Saturday night marijuana binge is intoxicating in the short term, but it can also produce residual cognitive deficits (on learning and memory) for several days. (Marijuana research protocols generally wait at least 5-30 days for marijuana to clear, before measuring long term residual cognitive effects). These deficits are readily quantified, are exaggerated in schizophrenics.
- 2. Marijuana compromises the lives of the most vulnerable.** Who is compromised by marijuana? The student in class who can't focus, the construction worker at risk for injury, the unemployed who is less likely to find work, the poor, the high school drop-out. It is unacceptable for soldiers, airline pilots, nuclear power plant operators, federal workers to test positive for marijuana. Should it be acceptable for teachers, day care providers, construction workers, students, machine operators, miners, parents, or drivers?

3. **Marijuana driving.** A 2009 National Highway Traffic Safety Administration (NHTSA) report showed that more people are driving on weekend nights under the influence of marijuana (8.3%) than alcohol (2.2%). A different study found that about 34% of motor vehicle crash victims admitted to a Maryland trauma center tested positive for "drugs only". Studies conducted in several localities have found that approximately 4 to 14% of drivers who sustained injury or died in traffic accidents tested positive for THC, the active ingredient in marijuana.
4. **Marijuana and health care costs.** Emergency department mentions of marijuana in the US have increased from 281,619 to 374,435 during 2004-2008, in parallel with linear increases in marijuana potency and marijuana addiction.
5. **Marijuana is addictive.** Marijuana is addictive in 9-10% of users. Progression to addiction reportedly is more rapid than progression to nicotine addiction. Abstinence in the heavily addicted unmasks physical and psychological neuroadaptation, manifest by an unnerving withdrawal syndrome. Nation-wide, more people harbor a medical (DSM-IV) diagnosis of marijuana abuse/addiction than any other illicit drug. More youth are DSM-IV positive for marijuana than for alcohol, as a percentage of users. Extrapolating from national statistics, an average cost for addiction treatment is \$4,000 for ambulatory care and at least four times that amount for residential care. This can add billions of dollars for marijuana treatment needs nationally.
6. **Young marijuana users become addicted at 6 times the rate of adult users.** The prevalence of addiction to marijuana is 6-fold higher, if youth initiate marijuana use at age 14 or younger. Early onset of marijuana use is also associated with addiction to other drugs in adulthood, including alcohol and heroin. Some have speculated that genetics, cigarettes smoking, social environment, poverty, child abuse, psychiatric conditions confer this higher risk in the young. But how to explain that adolescent rats exposed to the most active constituent of marijuana, delta-9-tetrahydrocannabinol or THC, *only during adolescence*, seek heroin at higher rates after they mature into adults, compared with unexposed rats, and display fundamental changes in brain opioid systems long after their last dose? Social, environmental, poverty, child abuse, psychiatric conditions do not apply to inbred rats – the drug alone alters the trajectory of brain and behavioral development. There is no reasonable evidence that marijuana sold for adults will prevent diversion to young adolescents. Our abysmal failure at preventing youth cigarette smoking or alcohol consumption should be our intuitive guide. Youthful users of marijuana are at particular risk.
7. **Marijuana use and neuropsychiatric disorders.** In nine population studies of more than 75,000 people from seven different countries, early marijuana use was found to be associated with an average two-fold higher risk for later-onset psychosis and schizophrenia. The influential medical journal Lancet, which declared in 1995 that "The smoking of cannabis, even long term, is not harmful to health." changed this conclusion in 2007, by stating that "Research published since 1995, including

[the] systematic review in this issue, leads us now to conclude that cannabis use could increase the risk of psychotic illness... governments would do well to invest in sustained and effective education campaigns on the risks to health of taking cannabis." A current debate is being waged on whether to revise comparative risk assessment in the Global Burden of Disease (GBD) to include the attribution of psychosis to marijuana use. Degenhardt et al argue that the risk assessment should be included because the evidence is as good as that for many other risk factors in the GBD. Some scientists have estimated that marijuana contributes about 8% to new cases of schizophrenia. If this estimate is accurate, unfettered marijuana access in, for example, California conceivably would add 25,000+ cases of schizophrenia, with an estimated cost of caring for this cohort for 30 years in excess of \$6 billion (based on a low estimate of \$8,000/per patient/year).

8. **Long term heavy marijuana use.** Heavy daily marijuana use across protracted periods can exert harmful effects on brain tissue and mental health. Brain imaging of *long-term heavy marijuana* users has shown exposure-related structural abnormalities in brain regions critical for learning, memory and emotional responses, and these brain changes correlate with impaired verbal memory and other symptoms. *Abnormal brain size and brain circuitry of adolescent marijuana users* have also been recently documented. Compromised academic performance, school drop-out, and a host of other adverse consequences are elevated in high school or college students who use marijuana. Accurate price tags for these lost educational and employment opportunities don't exist, but at the very least, they should weigh heavily on the citizens' conscience.
9. **Peripheral health is affected by marijuana.** Marijuana use is associated with increased risks for bronchitis, compromised pulmonary function, precancerous lung changes, cardiovascular events, problematic pregnancies, teratogenic and hormonal effects.

B. Marijuana use is increasing.

Despite this evidence, 2009 was a banner year for marijuana use in our nation. Compared with 2008, 1.5 million more marijuana users were added to the ranks in 2009. The steady decline in marijuana use among youth over the past 6 years was reversed in 2009. Marijuana use among 12-17 year olds increased by over 7%, with a 14% increase among boys, and a 13% increase among college students. Expanding acceptance of medical marijuana and proliferating availability conceivably are driving reduced perception of harm and a pivotal rise in use.

C. Authors' Biography: Bertha K. Madras is a Professor of Psychobiology in the Department of Psychiatry at Harvard Medical School and former Deputy Director for Demand Reduction in the White House Office of National Drug Control Policy. She is author of over 130 scientific manuscripts, senior editor of a book: "The Cell Biology of Addiction", and holds 19 patents with collaborators. She directed the creation of a Museum of Science, Boston exhibit on how drugs affect the brain, and also developed a CD titled "Changing Your Mind: Drugs in the Brain", which was licensed by the Disney Corp. in 2006.



March 14, 2011

Michele Devine, Executive Director: Southeastern Regional Action Council
Vice President Connecticut Prevention Network
620 Norwich/NL TPKE Uncasville, CT 06382

TESTIMONY IN SUPPORT OF SB 1098-
AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA
AND SALVIA DIVINORUM.

Chairman Senator Coleman, Chairman Representative Fox and Members of the Judiciary Committee:

Thank you for the opportunity to speak to you today in **support of Raised Bill #1098**. My name is Michele Devine and I am the Executive Director of the Southeastern Regional Action Council and Vice President of the Connecticut Prevention Network.

These two legal drugs have swept into our state over the last 2 years and have caught many unprepared. Until recently, the "Users" of these drugs have had free reign to use during school, at work, on parole or during any other situation or time of the day. Now that it has gained media coverage, the right people are asking questions and finding that we are on the verge of a serious problem. Our office has been collecting data and fielding calls on a regular basis from our community members asking for education and resources on these substances.

Let me speak first about Salvia, a hallucinogen, with similar qualities as LSD. In our recent, Regional Youth Survey (2008-2010) 4.5% of high school juniors and seniors have used Salvia. This is a little lower than National statistics of 6% of 12th graders that have used. The National Survey on Drug Use and Health, sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA), for 2006 estimated that about 1.8 million persons aged 12 or older had used *Salvia divinorum* in their lifetime, of which approximately 750,000 had done so in that year. Youth ages 18-25 are 3X more likely to use salvia within a 12 month period.

Synthetic marijuana is another dangerous substance. The main ingredient of marijuana, (THC), is chemically reproduced and sprayed on any herb mixture. It affects the same receptors as the (THC) would. It is an easily accessible substitute drug.

These "designer drugs" are created to avoid current laws. The goal is to satisfy the users' demands for popular drugs that can be obtained without prescriptions or other legal constraints.

It is important to share with you how these drugs have impacted us in Southeastern CT and our work as the Regional Action Council. The RAC's are where the community turns to for help in combating and preventing substance abuse that threaten children and the health and safety of the citizens.

We have had numerous inquiries into Salvia. We know that this drug is being used on the college campuses, with Military personnel, young adults (22-28) and those individuals on parole. It is quickly gaining momentum throughout other population and communities. Students that I have spoken to in high school and college, readily admit use saying, "what is anyone going to do to me it is legal and sold at almost every convenience store."

We have incorporated awareness and education into all of our Current Drug Trend Workshops and materials. Through our efforts, School Resource Officers, high school/college health staff, college Resident Assistants and Directors and Youth Service providers have already been educated on the growing dangerous trend. We need support, at the local level, to deal with these drugs being used in the schools, and in the community.

Eighteen other states have prohibited the sale and possession of these drugs. We strongly encourage Connecticut to follow.

Because of the urgency of this matter we have attached language that we believe the Committee should incorporate into the bill that would provide that the commissioner prints notice of the intent to adopt the regulations in the Connecticut Law Journal not later than twenty days after the date of implementation ensuring that these regulations go into effect as soon as possible.

Thank you.

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONERColonel Danny R. Stebbins
Acting CommissionerLieutenant Edwin S. Henion
Chief of Staff

March 14, 2011

Rep. Gerald M. Fox, Co-Chairman
Sen. Eric D. Coleman, Co-Chairman
Judiciary Committee
Legislative Office Building
Hartford, CT 06106**SB 1098 AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA AND SALVIA DIVINORUM****The Department of Public Safety supports this bill.**

Law enforcement officials in across the country are reporting increasing use of synthetic cannabinoid products by teens and young adults. These products are sold in convenience stores, gas stations, head shops, and via the Internet; this easy access has likely contributed to the popularity of the products.

The packaging is deliberately mislabeled to hide the actual intent and use of the product.

Synthetic cannabinoid products are produced internationally, domestically, and in some cases by individuals. There are no safety controls or oversight in place. Because the chemical composition of the various products sold is inconsistent, it is likely that some varieties also contain substances with dramatically different effects than those expected by the user. This could lead to an unsafe condition for the user.

There should be particular concern about the use of these products by children and young adults.

Sincerely,

A handwritten signature in black ink, appearing to read "Colonel Danny R. Stebbins".
Colonel Danny R. Stebbins
ACTING COMMISSIONER



**Testimony on SB 1098 Prohibiting the Sale or Possession of Synthetic Cannabinoids
Submitted on March 1, 2011
To the Judiciary Committee
By Calvina Fay, Executive Director, Save Our Society From Drugs**

Chairman Eric Coleman, Chairman Gerald Fox, Ranking Member John Kissel, Ranking Member John Hetherington and other distinguished Members of the Judiciary Committee:

We respectfully request that this testimony, on behalf of Save Our Society From Drugs, a national drug policy organization with members in the state of Connecticut, be included in the hearing that is scheduled for March 14, 2011 pertaining to SB 1098.

Save Our Society From Drugs (S.O.S.) has over ten years of experience in monitoring and making policy recommendations on drug policy issues including those pertaining to marijuana legalization. S.O.S. understands that a comprehensive approach to promote sound drug policy includes education, prevention, abstinence-based treatment, scientific research, and community awareness. Our members include doctors, researchers, law enforcement officials, business leaders, lawyers, and parents, just to name a few.

We have analyzed this bill and believe that it is a proactive approach in protecting the future of Connecticut's youth. Please take this opportunity to review our analysis of SB 1098.

K2, Spice, and Liquid Gold is a mixture of plant products marketed and sold as incense but purchased and abused by youth because it is sprayed with chemicals known as JWH 018 and JWH-073, synthetic potent psychotropic compounds similar to cannabis.

Selling for approximately \$30 a package, K2 has become so popular that retailers have a hard time keeping it on the shelves. Its popularity as a legal high has intrigued individuals across the nation, and its use among our nation's youth is growing at an alarming rate.

While the long-term effects of these drugs are relatively unknown, what we do know is frightening. Nationwide this year, poison control centers have received over 1,300 calls due to synthetic cannabinoids. These events involved victims as young as age 13 with reported symptoms including vomiting, unconsciousness, depressed respiration, and altered mental states. Additional information from reported users includes: increased heart rates, elevated blood pressure, hallucinations and, in some cases, seizures.

On March 1, 2011, the U.S. Drug Enforcement Administration (DEA) exercised its emergency scheduling authority to control the chemicals used to manufacture these "legal-pot" products. This action makes possessing and selling these chemicals or the products that contain them illegal in the United States. Passing a state law, consistent with the DEA efforts, will make enforcement by local agencies easier.

I hope that you will consider these findings and that you will SUPPORT SB 1098. We would be happy to provide you with additional information or discuss this issue further with you, if you so desire.

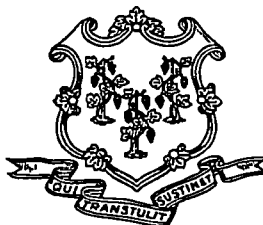
With Respect,

Calvina L. Fay

Calvina Fay
Executive Director

SENATOR ANDREA L. STILLMAN
Twentieth District

Legislative Office Building, Room 3100
 Hartford, CT 06106-1591
 Toll-free 1-800-842-1420
 Tel. (860) 240-0425
 www.SenatorStillman.cga.ct.gov



State of Connecticut
 SENATE

PAGE 13
 LINE 8

DEPUTY MAJORITY LEADER

Chair
 Education

Member

Finance, Revenue & Bonding Committee
 Public Health Committee
 Transportation Committee

Testimony in Support of SB 1098
March 14, 2011

Good morning, Senator Coleman, Representative Fox, and all members who serve on the Judiciary Committee. I'm Andrea Stillman, state senator from the 20th District: I urge your support for and approval of SB1098, AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA AND SALVIA DIVINORUM.

Based on law enforcement encounters, these substances are typically found laced on plant material. The plant material is packaged in small pouches or packets, and is being sold in tobacco and smoke shops, drug paraphernalia shops, gas stations, and convenience stores as herbal incense products, giving customers of all ages direct access to these substances. Research articles propose that the packaging is professional and conspicuous, targeting young people, possibly eager to use cannabis, but who are afraid of being caught with illicit drugs.

Fake marijuana products – often sold as K2 or Spice – can be from 5 to 25 times more potent than THC, the active ingredient in the real thing. Salvia Divinorum – often and commonly referred to as sage – is described by one nationally recognized expert in the field as 'the most potent naturally occurring hallucinogen.' Each of these products can powerfully *and dangerously* alter the perceptions and judgment of the user.

Frankly, it is counterintuitive – and bad public policy – to allow the legal sale of these products that seem deliberately intended to make an end-run around federal drug laws.

The federal government has responded, now our state government must follow suit. Earlier this month, the DEA used emergency authority to classify the chemicals used in synthetic marijuana as Schedule I controlled substances. HB1098 would similarly restrict the sale and use of these products – used to coat otherwise innocuous herbs to create K2 and Spice – in our state. As many as two dozen other states have enacted or are considering laws to do so – Connecticut should be the next to do so.

The use of Salvia Divinorum can alter the perception and judgment of the user and can cause 'profound' hallucinations. Sage affects receptors in the brain that are responsible for pain control and said to be responsible for some psychiatric disorders. It is most

commonly used by youth ages 18 – 25 and 6% of 12th graders nationally have to admitted to using it this past year.

Just last week a 21 year-old film student, who was under the influence of Salvia, jumped to his death from a 15th floor balcony. According to the girl he was with, "He just ran and hopped over the fence. He had no idea who he was, what he was doing."

19 states have banned or restricted the distribution and sale of Salvia Divinorum or are at least considering doing so. Again, Connecticut must be on that list.

If one of our purposes in state government is to protect the public health and well-being of individual residents – particularly young people – our state must carefully scrutinize these products and their active ingredients and decide to classify them among other controlled substances.

Young people, commonly susceptible to peer pressure, trendy behavior, and who are not yet old enough to purchase alcohol legally, must not have ready access to these products.

Thank you very much and I urge your support.



Andrea L. Stillman
State Senator, 20th District

March 14, 2011

Joanne Hoffman, Mother

**TESTIMONY IN SUPPORT OF SB 1098-
AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA
AND SALVIA DIVINORUM.**

Senator Coleman, Representative Fox, Members of the Judiciary Committee, thank you for the opportunity to speak to you today in **support of Raised Bill #1098**. My name is Joanne Hoffman, I'm the parent of a 19 y/o drug addict, I'm here today to share with you my personal concerns about k2, because unfortunately I have a personal experience.

My daughter was in rehabilitation in FL for opiate addiction recently for a year. She came home in Oct. knowing that we would be doing random drug testing. Things appeared to be going well but then her behavior changed. We could swear she was smoking pot, which we had experienced with her before; she was sleeping a lot, lacked motivation, and couldn't find a job (at holiday time). My husband searched her car and found K2 (synthetic marijuana). As is the case with many kids, once they start with 1 drug it can lead to others. This time, in addition to smoking K2, she had also started smoking Crack. As she describes K2, it messes up her stomach, turns her bowels green and makes her heart race worse than crack. But as is the case with so many drug users, they don't care about adverse reactions – only the high. You can put all the warnings you want on a label, but *warnings* don't stop kids from doing stupid things. My daughter used K2, not only because it doesn't show up in home drug tests, but also because it's cheap and easily available and a little bit goes a long way.

Although K2 isn't classified as a drug, per se, this item is being used by kids AS a drug, to get high, and it's available LEGALLY everywhere. It is allowing HER and many other kids to get high *with society's permission*. It's also much more potent than pot. Having these drugs so readily available makes my daughter's sobriety very difficult. There is a feeling that there is nothing wrong with it since you can purchase it at the local Gas Station and/or Convenience Store.

Just because K2 and salvia are *legal* doesn't mean they are ok to use. They are very dangerous in their use, and life threatening at worst.

I support these bills to Ban the sale of these DRUGS!!!



Middlesex County Substance Abuse Action Council

A Council of the Business Industry Foundation of Middlesex County
393 Main Street, Middletown, CT 06457 • (860)347-5959 • www.mcsaac.org

March 11, 2011

To the Honorable Senator Eric Coleman & Representative Gerald Fox, Co-chairs;
Honorable Senator Paul Doyle & Representative Holder-Winfield, Co Vice-Chairs;
Honorable Senator John Kissel and Representative John Hetherington, Ranking Members:

On behalf of the board of the Middlesex Substance Abuse Action Council we ask for your **strong support of the following bill now before the Judiciary Committee.**

SB No. 1098. An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum, will designate five synthetic cannabinoids and the herb salvia divinorum, and its active constituent salvinorum A, as controlled substances.

At this writing, the above products can be purchased as K-2, Spice, and "Ecstasy" [sic] for as little as \$10 in shops around Middlesex County, including some gas stations and convenience stores. Adults and children alike may buy them. As reported in the Hartford Courant, "extreme anxiety, racing heart and paranoia are among the symptoms patients have complained of after smoking synthetic marijuana." Young people are seeking help at emergency departments, and the Connecticut Poison Control Center has received several dozen calls for help.

Both physicians and court personnel (e.g., probation officers) are frustrated with the ease with which patients/clients can circumvent sober-living rules by taking these drugs, as they do not show up in standard drug testing. One local physician recently told us of a car accident that one of his patients caused while high on salvia.

In our experience, virtually all youth and too many adults believe that when a product is sold legally in stores, it is safe to use – and poses fewer hazards than "real drugs." Nothing could be further from the truth. *Please take these dangerous products off the shelves of Connecticut stores!*

MCSAAC has worked for twenty years to improve the health of Middlesex County families. Legislation for the responsible use of alcohol and drugs remains our priority. Thank you for your assistance in passing the above legislation.

Betsey S. Chadwick
Director, MCSAAC

Anthony J. Salvatore
President, MCSAAC
Chief of Police, Cromwell, CT



1623 Connecticut Ave NW; Suite 300
 Washington, DC 20009
 Phone: (202) 293-4414
 Fax: (202) 293-8344
www.SchoolsNotPrisons.com

AGAINST SB 1098 – An Act Regulating the Sale and Possession of Synthetic Marijuana and Salvia Divinorum

Members of the Judiciary Committee,

My name is Sam Tracy and I am a lifetime resident of South Windsor, CT. I am currently a student at the University of Connecticut, where I am studying political science, and am a member of the school's student government. As president of UConn's chapter of Students for Sensible Drug Policy, I pay close attention to drug culture on college campuses, as well as drug policies at the state and national level. I would like to draw your attention to the two separate issues in this bill, which illogically groups together two completely different substances.

This bill first addresses synthetic marijuana. I will not waste your time on this section of the bill, as synthetic cannabinoids have already been banned nationwide by the Drug Enforcement Agency. It is unnecessary to ban them at the state level.

I would like to focus on the ban on salvia divinorum. I believe that an outright ban on salvia would be more dangerous than the drug itself, and that a better alternative would be to place age limits on the drug.

Salvia is not the dangerous drug that many claim it is. Overdosing is arguably the worst possible outcome of using any drug. However, in 2003, Dr. Mark Mowry of the University of Nebraska did a study in which he gave large amounts of salvinorin A to lab rats to test its effects. He concluded, "the toxicity of salvinorin A is relatively low, even at doses many times that of what humans are exposed to." This means that the risk of overdosing on salvia is incredibly low.

Addiction is probably the second-worst thing that can happen from the use of a drug. Salvia has been proven to not be addictive. A 2005 study by Yong Zhang in the journal *Psychopharmacology* demonstrated that salvia use does not activate chemical reactions in the brain that typically lead to addiction, such as increasing dopamine levels. The researchers concluded that it was not a very addictive drug.

While salvia cannot cause overdose or addiction, it is still a psychoactive drug. Surely something must be done about it, as I am sure everyone can agree that it should not be sold to children. However, banning the substance would just cause the well-known problems of prohibition. Its sale would be relegated to the black market, and drug dealers would take over its growth and distribution. It's possible that salvia sold on the street could be laced with other drugs, and people buying salvia may be pressured by their dealers into trying harder drugs such as cocaine or heroin. Also, the state would lose out on the tax revenues from the sale of salvia, and would instead need to spend money enforcing its prohibition.

As we have seen with marijuana, making something illegal does not necessarily make it go away. The 1996 study, "Trends in the Incidence of Drug Use in the United States" by R. Johnson, shows that only 0.4 percent of adolescents had tried marijuana in 1930, right before it was banned. Today, about 42.3% of 12th graders have tried marijuana. While there are many factors involved, it is obvious that prohibition does not guarantee that use will stop, or even go down at all.

The most sensible solution to the issue is to impose age restrictions on the sale of salvia. In California and Maine, you must be 18 to purchase salvia, and in Maryland, you must be 21. This makes it much more difficult for young people to obtain the drug. For example, in a survey by the National Center on Addiction and Substance Abuse, a majority of high schoolers said it was easier to buy marijuana than beer or cigarettes. This is because drug dealers don't card, while store owners do. Imposing age limits, rather than banning salvia altogether, would cut down on adolescent use while not contributed to the increased violence and astronomical costs associated with prohibition.

Sincerely,

Sam Tracy
 President – UConn Students for Sensible Drug Policy
UConnSSDP@gmail.com



March 14, 2011

Bonnie Smith, President, Connecticut Prevention Network
620 Norwich/New London Turnpike • Uncasville, CT 06382 • www.ctprevention.org

TESTIMONY IN SUPPORT OF SB 1098-
AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA AND SALVIA DIVINORUM.

Senator Coleman, Representative Fox, Members of the Judiciary Committee, thank you for the opportunity to speak to you today in support of **Raised Bill #1098**. My name is Bonnie Smith and I am the President of the Connecticut Prevention Network, which makes up the thirteen Regional Action Councils for substance use in Connecticut. It is part of our mission to reduce the impact of substance abuse in our communities. We do this through data-informed prevention planning and collaboration with community members and grassroots organizations.

Safety concerns about the drugs, Salvia and K2 (also known as Spice, Spice Gold...etc), have existed for several years. In the past two years, there has been an increased urgency expressed by local police, school systems, parents, colleges, and youth serving organizations to address the issue as there have been many serious medical emergencies related to the use of these drugs. Although these drugs have been marketed as natural and harmless they are mind-altering and dangerous. They are sold at our corner convenience stores and smoke shops, next to drug paraphernalia such as pipes and rolling papers. There are no restrictions on the purchase of these products.. The availability of these drugs must be controlled for the safety of communities.

These dangers have resulted in over twenty states across the country taking action to establish laws concerning the sale and possession of both salvia and synthetic marijuana and most recently the DEA instituted a temporary emergency ban of the five synthetic marijuana compounds in this bill. Unfortunately, this is not enough to keep these harmful products out of stores and Connecticut must act.

Documented effects of Salvia use include: disorientation, dysphoria, loss of coordination, hallucinations and loss of consciousness. Synthetic Cannabis (K-2/spice) use can affect: judgment, coordination, learning and memory, mental and physical health. And currently there is no way to test for these substances. **Because of the urgency of this matter we have attached language that we believe the Committee should incorporate into the bill that would provide that the commissioner prints notice of the intent to adopt the regulations in the Connecticut Law Journal not later than twenty days after the date of implementation ensuring that these regulations go into effect as soon as possible.**

Additionally, we have attached several news articles discussing the issue and its impact nationally and in Connecticut (See articles in the Hartford Courant and The Day). You may have seen both drugs making national news headlines. The Arizona man who shot Representative Giffords and killed community members had a history of using salvia. Towards the end of 2010 Miley Cyrus, a teen idol, was videotaped using Salvia, sending an inaccurate message to youth about the safety and pleasure related to its use. And



Local partnerships promoting wellness
by addressing substance abuse statewide

most recently in New York, according to his parents a twenty-one year old committed suicide after using salvia.

Regional Action Councils across CT have increased education and public awareness about the risk and harm associated with using these substances but now is the time for the state to act. Our community partners including educators, local law enforcement and community leaders have asked us to advocate to ensure that these dangerous substances are illegal to purchase or possess and ultimately kept out of the hands of our youth. As substance abuse prevention professionals we need support to reduce and prevent substance use. Evidence shows that a tiered approach including education, policy development and enforcement, will ensure positive outcomes in prevention. **We ask that you support Raised Bill #1098 and send the message that using Salvia and synthetic marijuana are not safe choices for anyone.**

Thank you for your time and consideration,

A handwritten signature in cursive script, appearing to read 'Bonnie Smith', is written in black ink.

Bonnie Smith, MPH, CPH
President, Connecticut Prevention Network



NATIONAL CONFERENCE of STATE LEGISLATURES

The Forum for America's Ideas

Synthetic Cannabinoid Legislation

(January 18, 2011)

Synthetic cannabinoids also known as “designer cannabinoids,” K2, or Spice exhibit similar effects to THC (tetrahydrocannabinol) the active ingredient found in marijuana. Law enforcement in states across the country have reported use among high school and college students, as well as adults on probation and parole. Specific synthetic cannabinoids listed in state statutes include:

- **CP 47, 497** and homologues: 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol
- **HU-210**: [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol]
- **HU-211**: dexanabinol, (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
- **JWH-015**: (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone
- **JWH-018**: 1-pentyl-3-(1-naphthoyl)indole
- **JWH-019**: 1-hexyl-3-(1-naphthoyl)indole
- **JWH-073**: 1-Butyl-3-(1-naphthoyl)indole
- **JWH-200**: 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl) indole
- **JWH-250**: 1-pentyl-3-(2-methoxyphenylacetyl)indole
- **JWH-398**: 1-pentyl-3-(4-chloro-1-naphthoyl)indole

In 2010, at least 11 states added certain synthetic cannabinoids to the state's statutes on controlled substances.

2010 Enacted Legislation:

Alabama HB 697

Makes it illegal to possess HU-210, JWH-018, JWH-073, and salvia divinorum or salvinorum A.

Georgia HB 1309

Adds the synthetic cannabinoids HU-210, JWH-018, and CP 47,497 and homologues; in any material, compound, mixture or preparation to the list of schedule I drugs.

Illinois HB 6459

Adds JWH-018 and JWH-073 to the list of schedule I controlled substances.

Kansas HB 2411

Adds the synthetic cannabinoids HU-210, JWH-018, and JWH-073; and the components of synthetic ecstasy N-Benzylpiperazine (trade name: BZP) and 1-(3-[trifluoromethylphenyl]) piperazine (trade name: TFMP) to the list of controlled substances as schedule I drugs.

Sec. 62. (NEW) (*Effective October 1, 2006*) (a) The Commissioner of Consumer Protection shall adopt regulations, in accordance with chapter 54 of the general statutes, to carry out the provisions of sections 52 to 61, inclusive, of this act. The Commissioner of Consumer Protection may implement policies and procedures necessary to administer the provisions of said sections 52 to 61, inclusive, while in the process of adopting such policies and procedures as regulations, provided the commissioner prints notice of the intent to adopt the regulations in the Connecticut Law Journal not later than twenty days after the date of implementation. Such policies and procedures shall be valid until the time final regulations are adopted.

Kentucky HB 265

Creates the crime of trafficking in synthetic cannabinoid agonists or piperazines and makes it a class A misdemeanor. Creates the crime of possession of synthetic cannabinoid agonists or piperazines and makes it a class B misdemeanor. Creates the crime of manufacturing a synthetic cannabinoid agonists or piperazines and makes it a class A misdemeanor. Defines synthetic cannabinoid agonists or piperazines as any chemical compound that contains Benzylpiperazine, Trifluoromethylphenylpiperazine, dexanabinol, HU-210, JWH-073, JWH-018, or HU-211 and excludes synthetic cannabinoids that require a prescription, that are approved by the USDA, and are dispensed in accordance with state and federal law. Adds synthetic cannabinoids to the list of schedule I drugs. Excludes synthetic cannabinoids from the crimes of selling controlled substances to a minor, trafficking controlled substances in a school zone, possession of a controlled substance, possession of a firearm while in the commission of an offense, unlawful transaction with a minor. Permits persons found guilty of possession of a synthetic cannabinoid to be sentenced to a treatment facility. Permits a conviction for possession of a synthetic cannabinoid to be set aside upon successful completion of treatment, probation or other sentence. Stipulates that any misdemeanor offense for synthetic cannabinoids is not subject to forfeiture.

Louisiana HB 121

Adds the synthetic cannabinoids HU-210, JWH-018, JWH-073 and CP 47,497 and its C6, C7, C8 and C9 homologues to the list of controlled substances as schedule I drugs. Applies to the possession of synthetic cannabinoids the penalties for the possession of marijuana.

Louisiana HB 173

Adds the synthetic cannabinoids HU-210, JWH-018, JWH-073 and CP 47,497 and its C6, C7, C8 and C9 homologues to the list of controlled substances as schedule I drugs. Applies to the possession of synthetic cannabinoids the penalties for the possession of marijuana. Adds section on the unlawful production, manufacturing, distribution, or possession of prohibited plant products. Defines homeopathic drug.

Louisiana SB 37

Adds the synthetic cannabinoids HU-210, JWH-018, JWH-073, and CP 47,497 and its C6, C7, C8, and C9 homologues to the list of controlled substances as schedule I drugs. Applies to the possession or distribution of synthetic cannabinoids the penalties for the possession or distribution of marijuana.

Michigan HB 6038

Adds CP 47,497; HU-210; JWH-015; JWH-018; JWH-073; JWH-200; and JWH-250 to the list of schedule I controlled substances. Adds BZP, MCPP, TFMPP, 4-MMC, MPBP, KHAT, Cathinone, salvia divinorum, salvinorin A and 2C-B-BZP to the list of schedule I controlled substances. Adds Cathine to the list of schedule IV controlled substances.

Mississippi SB 2004

Adds the synthetic cannabinoids JWH-018; HU-210; CP-47, 497; JWH-073; JWH-200; JWH-250; JWH-019; and JWH-398 to the list of schedule I hallucinogenic controlled substances. Mandates all retailers in possession of synthetic cannabinoids have until October 1, 2010, to dispose of such synthetic cannabinoids by returning such synthetic cannabinoids to the distributor or otherwise legally disposing the synthetic cannabinoids. Applies criminal penalties applicable to marijuana to synthetic cannabinoids.

Missouri HB 1472

Adds HU-211; Indole or JWH-018; Indole or JWH-073 and Phenol CP 47, 497 and homologues; and 5-MeO-DMT or its isomers, salts, and salts of isomers to the list of controlled substances as schedule I drugs. Creates a class C felony for possession of more than 35 grams of HU-211, JWH-018, JWH-073, CP 47, 497 and homologues. Creates a class A misdemeanor for possession of 35 grams or less of HU-211, JWH-018, JWH-073, and CP 47, 497 and its homologues.

**Oklahoma SB 3241**

Adds TFMPP, JWH-073, JWH-018, and HU-210 to the list of schedule I controlled substances.

Tennessee SB 2982

Creates a Class A misdemeanor to knowingly produce, manufacture, distribute, possess or possess with intent to produce, manufacture, or distribute the synthetic cannabinoids JWH-018, JWH-073, HU-211 and HU-210. Excludes synthetic cannabinoids lawfully prescribed or substances approved by the federal food and drug administration.

NCSL's Criminal Justice Program is in Denver, Colorado, at 303-364-7700; or cj-info@ncsl.org. Statutes & bills may be edited or summarized; full text can be retrieved through: <http://www.ncsl.org/public/leglinks.cfm>

Legal Status

No Federal statutes control or regulate distribution of Salvia. So far, at least 21 states have felt the need to act, passing laws ranging from banning possession or sale for minors to outright bans. Some states have classified Salvia as a Schedule 1 substance, modeled after the federal Controlled Substances Act, where Schedule 1 substances are considered to have a high potential for dependency and no accepted medical use.

State Laws Regulating Salvia Divinorum (Last Updated May 6, 2010)	
California <u>Penal Code Section 379</u>	Every person who sells, dispenses, distributes, furnishes, administers, gives, or offers to sell, dispense, distribute, furnish, administer, or give Salvia divinorum or Salvinonn A, or any substance or material containing Salvia divinorum or Salvinonn A, to any person who is less than 18 years of age, is guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.
Delaware <u>16 Del.C. § 4714</u>	Lists Salvia as a Schedule I controlled substance.
Florida <u>Annotated Title XLVI, Crimes Chapter 893. Drug Abuse Prevention and Control 893.03.</u>	Lists Salvia as a Schedule I controlled substance.
Illinois <u>Illinois Compiled Statutes Annotated, Chapter 720. Criminal Offenses, Act 570. Illinois Controlled Substances Act, Article II Schedules of Controlled Substances</u>	Lists Salvia as a Schedule I controlled substance.
Kansas <u>Statute 61-4104, Controlled Substances</u>	Lists Salvia as a Schedule I controlled substance.
Kentucky <u>Kentucky Revised Statutes Chapter 218</u>	Lists Salvia as a Schedule I controlled substance.
Louisiana <u>Louisiana Revised Statutes, Title 40— Public Health and Safety, Chapter 4— Food and Drugs. Part X. §989.1</u>	Lists Salvia as a Schedule I controlled substance.
Maine <u>Maine Revised Statute Title 17: CRIMES. Chapter 70: Salvia Divinorum</u>	A person may not transfer Salvia divinorum to a minor. A minor may not Purchase, possess or use Salvia divinorum

<p>Maryland <u>Annotated Code of Maryland Courts and Judicial Proceedings Section 10-130 through 10-133</u></p>	<p>Prohibits a person from distributing Salvia divinorum or Salvinorin A to an individual under the age of 21 years; prohibits a person under the age of 21 years from possessing Salvia divinorum or Salvinorin A;</p>
<p>Minnesota <u>Minnesota Statutes 2008, section 152.027</u></p>	<p>A person who unlawfully sells any amount of salvia divinorum or salvinorin A is guilty of a gross misdemeanor. A person who unlawfully possesses any amount of salvia divinorum or salvinorin is guilty of a misdemeanor.</p>
<p>Mississippi <u>Miss. Code Ann. § 41-29-113</u></p>	<p>Lists Salvia as a Schedule I controlled substance.</p>
<p>Missouri <u>Missouri Revised Statutes, Chapter 195, Drug Regulations, Section 195.017</u></p>	<p>Lists Salvia as a Schedule I controlled substance.</p>
<p>North Dakota <u>CHAPTER 19-03.1, UNIFORM CONTROLLED SUBSTANCES ACT</u></p>	<p>Lists Salvia as a Schedule I controlled substance.</p>
<p>Nebraska <u>Nebraska Revised Statutes 28-405</u></p>	<p>Lists Salvia as a Schedule I controlled substance.</p>
<p>North Carolina <u>North Carolina General Statutes Annotated 14-401.23</u></p>	<p>(a) It shall be unlawful for any person to knowingly or intentionally manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver Salvia divinorum or Salvinorin A. (b) It shall be unlawful for any person to knowingly or intentionally possess Salvia divinorum or Salvinorin A.</p>
<p>Ohio <u>Ohio Revised Code Title 37, Chapter 3719.41, Controlled substance schedules.</u></p>	<p>Lists Salvia as a Schedule I controlled substance.</p>
<p>Oklahoma <u>Oklahoma Statutes Citationized Title 63, Public Health and Safety Chapter 2 - Uniform Controlled Dangerous Substances Act, Article 2 - Standards and</u></p>	<p>Lists Salvia as a Schedule I controlled substance.</p>

<u>Schedules, Section 2-204 - Schedule I</u>	
<p>South Dakota <u>South Dakota Codified Laws 22-42-22</u></p>	<p>Possession of Salvia divinorum or salvinorin A prohibited--Felony or misdemeanor. No person may knowingly possess Salvia divinorum or salvinorin A. It is a Class 1 misdemeanor to possess two ounces or less of Salvia divinorum or salvinorin A. It is a Class 6 felony to possess more than two ounces of Salvia divinorum or salvinorin A.</p>
<p>Tennessee <u>Tennessee Code Annotated 39-17-438</u></p>	<p>(a) It is an offense to knowingly produce, manufacture, distribute, possess or possess with intent to produce, manufacture, or distribute the active chemical ingredient in the hallucinogenic plant Salvia divinorum A. (b) The provisions of this section shall not apply to the possession, planting, cultivation, growing, or harvesting of the hallucinogenic plant strictly for aesthetic, landscaping, or decorative purposes. (c) The provisions of this section shall not apply to any dosage form that is legally obtainable from a retail establishment without a prescription and is recognized by the Federal Food and Drug Administration as a homeopathic drug. (d) A violation of subsection (a) is a Class A misdemeanor.</p>
<p>West Virginia <u>Code of West Virginia</u> <u>§60A-4-413</u></p>	<p>It is unlawful for any person to knowingly or intentionally manufacture or possess an extract, compound, concentrate, or other processed substance intended for human consumption which contains Salvia divinorum, unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a licensed physician or dispensed by a pharmacist for a recommended or medically necessary therapeutic use. Any person who violates this subsection is guilty of a misdemeanor, and disposition may be made under section four hundred seven of this article, subject to the limitations specified in said section, or upon conviction, such person may be confined in jail not more than six months, or fined not more than \$1,000, or both. Notwithstanding any other provision of this code to the contrary, any first offense for possession of Salvia divinorum shall be disposed of under section four hundred seven of this article. The provisions of this section shall not apply to licensed physicians, pharmacists, and accredited hospitals and teaching facilities engaged in the research or study of Salvia divinorum, and shall not include any person participating in clinical trials involving the use of Salvia divinorum.</p>
<p>Wisconsin <u>Wisconsin Statute 941.318</u></p>	<p>Except as provided in sub. (3), whoever manufactures, distributes, or delivers salvinorin A with intent that it be consumed by an individual may be fined not more than \$10,000. (3) (a) Subsection (2) does not apply to the manufacture</p>

of any dosage form of salvinorin A that may be obtained from a retail establishment without a prescription and that is recognized by the U.S. Food and Drug Administration as a homeopathic drug.

(b) Subsection (2) does not apply to the distribution or delivery to an individual who is 18 years of age or older of any dosage form of salvinorin A that may be obtained from a retail establishment without a prescription and that is recognized by the U.S. Food and Drug Administration as a homeopathic drug.

Fake Pot Concerns Officials and Health Workers

February 08, 2011 | By WILLIAM WEIR, bweir@courant.com, The Hartford Courant

Extreme anxiety, racing heart and paranoia are among the symptoms patients have complained of after smoking synthetic marijuana.

All were teenagers or people in their early 20s, said Dr. Danyal Ibrahim, director of toxicology at St. Francis Hospital and Medical Center, and at least one had hallucinations. The most recent patient, he said, was sweaty, agitated, and "felt a sense of doom and felt that he was going to die."

More commonly known as "spice" or K2, synthetic marijuana is easy to buy — at gas stations, convenience stores, head shops and online. A small envelope was selling for \$9.99 at one Hartford gas station.

The package touts "an exotic herbal incense blend composed of rare plants and herbal extracts." The chemical that's sprayed on the leaves — a synthetic form of THC (Tetrahydrocannabinol), the active ingredient in marijuana — is what's selling the product. Doctors at St. Francis and at Hartford Hospital said they first started seeing cases involving synthetic marijuana in the middle of last year.

While the products are sold as incense and bear the label "not for human consumption," Barbara Carreno, a spokeswoman with the U.S. Drug Enforcement Agency, said everything else about the marketing makes it obvious that the contents are meant to be consumed.

For instance, many packages are marked "for 18 years and over" and websites boast that it can't be traced in drug tests. That means it could run afoul of the Federal Analog Act of 1970, which regulates synthetic substances designed to mimic the effects of currently prohibited drugs.

In November, the DEA announced it would put synthetic marijuana under a 12-month ban. The temporary ban has not yet been enacted, but Carreno said it will be "any day."

At least seven states have banned the sale of synthetic marijuana. Several more states, including Connecticut, are considering bans.

State Rep. Michelle Cook, D-Torrington, is a co-sponsor of one of two proposed measures to prohibit the sale of the product. Cook said she first heard of synthetic marijuana when local police officers told her they were concerned about a surge in its use among young people. Cook and the police urged businesses in Torrington to withdraw the products from sale, but only one went along.

"There were a couple that said, 'We'll ID, we won't sell to anyone under 21,'" she said. "Even though it's legal, it's deadly."

If the state does enact a ban, she said, the real work will be keeping on top of the situation to keep the law effective.

"The manufacturing agencies are much smarter and quicker than we are," Cook said, "and they can dance around the bans that we've made by coming up with different chemical mixes."

Bad Reactions

The Connecticut Poison Control Center at the UConn Health Center has received "at least a couple dozen calls" from people reacting badly to synthetic marijuana, said Charles McKay, the center's associate director. And at Hartford Hospital, where he is director of toxicology, McKay said he has treated "a handful" of cases. Symptoms typically include paranoia and tachycardia, an unusually fast heart rate.

McKay said he generally treats patients with benzodiazepine, an anti-anxiety medication, and they usually are OK after a few hours under supervision. He said the effects of synthetic marijuana resemble those of natural marijuana: a sense of ease and heightened sensations. But other times, usually when synthetic pot is taken in greater doses, it has the opposite effect, he said.

Ibrahim said synthetic marijuana is much more dangerous than the natural substance. Although he has treated three people for fake pot in the past six months, Ibrahim said he has never treated anyone for a bad reaction to natural marijuana in the six years that he has worked in toxicology. For the people who have bad reactions to the synthetic version, he said, the symptoms are closer to those caused by cocaine and other stimulants.

Ibrahim and McKay both said none of the patients faced life-threatening conditions and in all cases, they were released within 24 hours. There have been reports elsewhere that the substances induced seizures, but neither Ibrahim nor McKay have seen that.

Medicinal Research

The chemicals used in synthetic marijuana are modeled after cannabinoids, the active agents in natural marijuana (THC is the most well-known). They're based on chemicals first developed in the 1980s at Clemson University and Hebrew University to research the medicinal use of cannabinoids. Because several papers on these studies have been published in science and medical journals, the public has had access to details about the substances' chemical makeup.

In Europe, synthetic marijuana first appeared in the middle of the last decade; in Connecticut in the last year or so. Exactly who is manufacturing it, Carreno said, is difficult to trace.

"The substances, a lot of them come from overseas — China, Middle East, Europe, all kinds of places," she said. "There are many different suppliers with different names and different contents."

Paul Armentano, deputy director of the marijuana legalization group NORML, said regulations will be hard to enforce and could possibly backfire.

"Most likely, the clampdown will likely only make the situation more dangerous from both a legal standpoint and from a health standpoint to the consumer," he said in an e-mail.

Carreno said the U.S. Department of Health and Human Services recommended the 12-month ban to allow time to test the chemicals on human subjects in clinical trials, something that's never been done before.

Carreno also acknowledged that regulating synthetic substances is difficult because federal drug laws have to be very specific. In this case, the ban names the five most commonly used chemicals in synthetic marijuana. For instance, the chemical JWH-018 is named in the ban, but JWH-073 — a slight variation — is not. Tweaking a banned chemical, even minimally, can be enough to skirt regulations.

The letters JWH come from the initials of John W. Huffman, a Clemson University scientist who first developed synthetic cannabinoids in the 1980s. He did so to study their effects on animals and explore the chemicals' potential for treating such conditions as osteoporosis, liver disease and certain cancers. He developed JWH-018 and other chemicals in his lab with funding from the National Institute on Drug Abuse.

In an e-mail, Huffman stressed that these chemicals have not been tested on humans and could have toxic effects on people.

"They absolutely should not be used as recreational drug," Huffman said.

[Back](#)

Article published Feb 4, 2011

Sailors face stiff penalties for using legal substances that have been outlawed by the Navy

By [Jennifer McDermott](#) Day Staff Writer

'Spice' among items available at stores branded as off-limits

Groton - A sailor could get kicked out of the Navy for going inside Cory's Petroleum.

The gas and service station on Route 12, about 2 miles from the Naval Submarine Base, sells pouches of *Salvia divinorum*, an herb that produces hallucinogenic effects when chewed or smoked.

Salvia is legal for purchase by anyone over 18, but the chief of naval operations has ordered that sailors not use it. They are also prohibited from using so-called "fake pot" products that mimic the effects of marijuana, commonly sold as Spice but also marketed under a variety of names and sold legally to adults.

The Navy placed several southeastern Connecticut locations on the off-limits list for service members, and officers and sailors who go into these establishments can face stiff penalties under the Uniform Code of Military Justice for failing to obey an order.

A yellow box prominent on the base's website names the establishments: Cory's Petroleum, Northern Lights on Long Hill Road, Connecticut Barber Shop on the Gold Star Highway and Old Glory Music & Entertainment in Old Saybrook. The barber shop is on the list because of reports of drug-related activity and bootleg DVDs. The other three are listed because of Spice and general drug paraphernalia, according to the base.

"Putting something off-limits is not to 'catch sailors,'" said Chris Zendan, base spokesman. "It's to make them aware that these establishments are involved in activity that is unsafe for them and their careers. ... We don't have active shore patrol that stake out the off-limits establishments for sailors. We don't have that."

Salvia and Spice have been available in the United States for years but lately have become trendy among young adults. Teen star Miley Cyrus was recently shown in a leaked videotape smoking *Salvia*.

The Drug Enforcement Administration plans to ban five synthetic cannabinoid chemicals found in these designer drugs, which would make Spice illegal but not *Salvia* since it is a natural rather than a synthetic product. The DEA considers *Salvia* a "drug of concern" that may later be banned, according to a spokesman.

The agency has not yet issued the final order banning the chemicals under the Controlled Substances Act. The Navy has a zero-tolerance policy for the substances, and a guilty party faces a reduction in pay or rate, separation from the Navy, a dishonorable discharge and even jail time.

At the Groton base and submarine school, five to 10 people were caught using or possessing Spice in the past year, and all had to leave the service. One sailor was found guilty at a special court-martial in a case involving Spice and one of the off-limits establishments, meaning he left the Navy with a federal conviction on his record, said Lt. Natasha Bode, command services attorney at the base.

"The number of incidents of designer-drug usage is rising at an alarming rate in our Navy," Adm. John C. Harvey Jr., commander of U.S. Fleet Forces Command, said in a statement in January. He noted that 151 sailors were accused of using or possessing Spice or a similar drug in the past four months.

Also in January, the U.S. Naval Academy in Maryland expelled seven midshipmen for using or selling Spice. Five cadets at the Air Force Academy in Colorado have also been expelled, and another 25 are under investigation for using Spice.

No cadets at the Coast Guard Academy in New London have gotten into trouble for Spice, according to the academy. The Coast Guard has prohibited its personnel from using or possessing substances that produce psychoactive effects, including natural substances and products containing synthetic cannabinoid compounds, such as Spice, Genie, Blaze, Dream, Ex-Ses, Spark, Dark Knight, Yucatan Fire and K2.

At Cory's Petroleum, a gram of Salvia retailed for \$44.99 or \$59.99. The more expensive version, by Club13 Herbals, advertised on the packaging that it was the strongest extract made, "a tool for self exploration." Cory's had it in natural, peach, watermelon and strawberry flavors, near the fried chicken whose smell permeated the store.

A flier on top of the glass case explained the drug's effects: "When used in small doses the user feels a relaxing state of mind, altered light perception and uncontrolled fits of laughing. When used in larger amounts, intense laughter and meditational epiphanies can occur."

In bold lettering, the flier states that Salvia "will not show up in urine, hair or blood drug tests." Cory, of Cory's, would not answer questions but said in a voice-mail message that "we sell everything legal."

Old Glory Music & Entertainment used to sell Spice at the Old Saybrook boutique but took it off the shelves in anticipation of the federal ban, according to an employee. Both the owners of Northern Lights and the Connecticut Barber Shop said they have never sold Spice, Salvia or anything like it.

"We had no idea what was in it," said Robert Cromwell, co-owner of Northern Lights. "Some places are making thousands selling it, but we never felt comfortable."

Cromwell said his store receives calls daily from people looking for it, but the store is sticking with tobacco. The smell of incense permeates the shop on Long Hill Road, where clothing, posters and pipes of all shapes, sizes and colors are sold. The sub base, he said, was not a major draw to opening in the area last year so it would not be worth trying to get removed from the list.

"We're a tobacco shop, and we found a nice, big place to open," Cromwell said. "There wasn't too much competition, and there's so much traffic on the street. We have great visibility. It had nothing to do with the sub base."

The owner of Connecticut Barber Shop, on the other hand, says the list is hurting his business and he wants off. Jay Brown said his store got into trouble two years ago for illegal DVDs, then he received a letter about the off-limits list with instructions on how to get reinstated by the commander, Navy Region Mid-Atlantic.

"My lawyer replied, and we were told they would have a meeting at the end of 2010, but we've yet to hear anything," said Brown, who added that the shop used to have a "big Navy following." "It has hurt a lot, that's a lot of clientele we would definitely have," he said.

Brown also heard that the Navy thinks his shop sells Spice, a claim he says is absurd.

"I would never sell anything Cory's is selling," he said. "How would I compete? That's like selling egg rolls when the China House is down the street."

3/13/2011

Printer-friendly version - TheDay.com

A spokesman for the DEA could not say precisely when the final order will be issued to make the chemicals used in these products illegal. It could be days or weeks, Rusty Payne said. "Just because something is not illegal, that doesn't make it safe," he said. "We've seen the harm to users, and we've been able to review enough data to determine that this stuff is bad and needs to be controlled."

The ban would last for at least one year before a final decision would have to be made on whether there is enough evidence that these chemicals should be permanently controlled, Payne said.

j.mcdermott@theday.com

Ryan Santanna smoked salvia before leaping to his death from Roosevelt Island balcony

BY KERRY WILLS AND BARRY PADDOCK
DAILY NEWS WRITERS

Originally Published Tuesday, March 8th 2011, 4:00 AM
Updated Tuesday, March 8th 2011, 11:04 AM

The father of a film student who apparently jumped from a Roosevelt Island balcony after smoking salvia said Tuesday that the hallucinogenic plant should be banned.

"I would like to have it legalized because of the effect it causes and the loss of life," said Lauro Santanna, whose son Ryan leapt to his death Sunday. "I'll do everything in my power to get this thing out of the market.

"They say, 'We can't do anything until something happens.' Well, something happened. It cannot be legal anymore," he said.

Ryan Santanna, 21, was hanging out Sunday with ex-girlfriend Benazir Balani on his bedroom balcony smoking the hallucinogenic substance, she said.

Balani said he then lay down on his stomach, pretending to swim like an animal on the 15th-floor balcony.

"He stared at me but it was like he wasn't seeing me, it was just a blank stare," she said.

Then he jumped.

"He just ran and hopped over the fence," said Balani, 20, of Queens. "He had no idea who he was, what he was doing."

Salvia - a member of the mint family that provides a quick, potent high and is legal in New York - made headlines in December when Miley Cyrus was caught smoking it on video.

But Santanna's father says people don't know that it is dangerous.

"Like my son, I think a lot of people don't understand what this is," Lauro Santanna said. "Sometimes the only way to stop people is to make them afraid. I want people to be afraid of this stuff."

Ryan Santanna was a film production student at the Art Institute of New York City set to graduate in the spring. His father said classmates will finish a film he was making.

"I want people to know he was a happy person," said Santanna's weeping mother, Vera Cordiero Santanna, 50.

Santanna had no history of mental problems, police sources said. His death is being investigated as a possible suicide, and the city medical examiner said the initial autopsy was inconclusive.

With Rocco Parascandola

Read more: http://www.nydailynews.com/ny_local/2011/03/08/2011-03-08_smoked_salvia_before_leaping_to_death.html#vzz1GXPyjKg

Ban of 5 chemicals in fake pot starts March 1

The Associated Press
Monday, February 28, 2011; 4:39 PM

WASHINGTON -- An emergency plan to outlaw the sale of five chemicals used in herbal blends to make synthetic marijuana becomes official Tuesday.

The Drug Enforcement Administration filed a final notice Monday that the chemicals used in so-called incense will be banned for sale for at least a year. The order will be published in the Federal Register Tuesday.

The fake marijuana, sold in drug paraphernalia shops and on the Internet, is marketed under various brands including Spice, K2, Blaze and Red X Dawn. The products contain organic leaves coated with chemicals that provide a marijuana-like high when smoked.

Federal drug officials announced plans for the emergency measure in November, amid increasing reports of bad reactions to the chemicals - including seizures, hallucinations and dependency.

Hello members of the Judiciary,

My name is Katlin Tyrol; I'm a senior at University of Connecticut and I'm here this morning to testify in favor of H.B. No. 6566, S.B. No. 1098, Governor's S.B. No. 1015, and all other initiatives to further explore the prospect of medicinal marijuana in Connecticut, but in order to do so I'd like to tell you a story.

Nine years ago, one of my family members whose identity shall remain ambiguous for her protection, was diagnosed with ovarian cancer; for the purpose of this testimony, we will call her "Sarah". "Sarah" was only thirty-seven years old at the time so, needless to say, her diagnosis came as a devastating blow to my family. The doctors gave her a mere six months to live. Because her healthcare was minimal, my mother took "Sarah" into our home and acted as her primary caregiver. It was very difficult for me to digest what was going on around me, as I at only twelve years old, and had never had to face illness first hand in my life. "Sarah" was like a second mother to me and to see her body so frail and in so much pain was heartbreaking. Miraculously, her six months to live was stretched to about nine years. Our family was exuberant; we simply could not believe how lucky we were.

Then in June of 2010, "Sarah's" cancer came out of remission. The tumors had grown back completely in her stomach and had spread to her lungs and beyond. She began chemotherapy treatment immediately, but in time the doctors said that the treatment wouldn't work. Our family continued to hope for a miracle, and "Sarah" kept up with the chemo regardless of the fruitless outcome. She was in a state of constant hurt and illness because of the chemo. In an attempt to alleviate her pain, the doctors prescribed her medication that, according to "Sarah", only made matters worse. The medication was not strong enough and also exacerbated the nausea she felt from the chemotherapy.

This was when "Sarah", wedged between a rock and a hard place, decided to take matters into her own hands. This past January, she began to use marijuana for its medicinal benefits. She found that if she smoked marijuana it did wonders to help alleviate the physical pain she was constantly in. "Sarah" also found that if she smoked marijuana, she developed an appetite. Prior to this, I cannot remember the last time I saw her eat more than a bite or two of nourishment that her body so desperately needed. "Sarah" found solace in a substance that she undoubtedly needed. She was relieved of her immense pain and was able to feed herself properly for the first time in months. Today, "Sarah" is in the hospital, spending her final days with doctors and family members.

I sit here this morning to testify in favor of these medicinal marijuana bills because "Sarah" cannot. To think that during her final months, in an attempt to sustain a decent quality of life: a life free of pain; to think that "Sarah" was made to feel ashamed of her actions is heartbreaking. To think that this poor woman ravaged by cancer and made frail by loss of appetite, may have identified herself as a criminal has brought me to tears. That is why I ask that you vote in favor of medicinal marijuana in Connecticut, because men and women like my "Sarah" deserve the choice.

Katlin Tyrol; katlintyrol@gmail.com; 860.597.2495

267 South St Vernon CT 06066

S - 630

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 19
5861 - 6210**

mhr/mb/rgd/gbr
SENATE

484
June 6, 2011

Senate. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? All members have voted. The machine will be locked. Mr. Clerk, will you give us a tally.

THE CLERK:

Madam President, total number voting on Substitute Senate Bill Number 361.

Total Number voting	36
Necessary for adoption	19
Those voting Yea	23
Those voting Nay	13
Those absent and not voting	0

THE CHAIR:

The bill is adopted -- passed.

Mr. Clerk.

THE CLERK:

Madam President, on calendar page 48, Senate Bill Number 1098, AN ACT REGULATING THE SALE AND POSSESSION OF SYNTHETIC MARIJUANA AND SALVIA DIVENORUM.

mhr/mb/rgd/gbr
SENATE

485
June 6, 2011

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN:

Good evening, Madam President.

THE CHAIR:

Still good evening to you, yes, sir.

SENATOR COLEMAN:

I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

It's on approval of the bill. Would you proceed, sir.

SENATOR COLEMAN:

First, Madam President, I think I'd be remiss if I didn't credit Senator Stillman and Representative Cook, and Hewett, and Carpino downstairs for sponsoring this bill and bringing the subject matter of the bill to the attention of the Judiciary Committee.

The bill before us would require the Commission of Consumer Protection to designate certain substances as controlled substances and place them on the appropriate schedule for controlled substances. There are five schedules

for controlled substances and Schedule 1, I guess, is the most significant inasmuch as it would make substances on that particular schedule illegal.

The problem -- or the substances that this bill addresses happen to be what are called synthetic cannabinoids or designer cannabinoids. And at least three of the five that are listed in this schedule were developed by a scientist at Clemson University, who was trying to approximate the intoxicating effect of marijuana for certain tests on animals in the treatment of liver disease, certain cancers and osteoporosis.

Two other substances that this bill addresses are salvia divinorum and salvinorin A. So altogether, there are seven items which the commissioner would be required to place or to designate as controlled substances. And the reason that this bill is important because -- is because there have been a number of incidents, not only in Connecticut, but throughout the nation, where people who purchased these substances or derivations of these substances in gas stations and convenience stores, packaged and marketed as incense.

People have ingested either chewing or smoking these substances, and as a result, have sustained or suffered certain ill effects for which they required hospital treatment. And among those ill effects were unconsciousness, vomiting, agitation, elevated blood pressure, increased heart rate, respiratory problems, hallucinations, alleged or altered mental states as well as seizures.

So consequently, Madam President, if for no other reason than a concern for public health, I believe that this bill should be passed. And Senator Stillman has done quite a lot of work on this bill and with your permission, Madam President, I'd like to yield to her.

THE CHAIR:

Senator Stillman, will you accept the yield?

SENATOR STILLMAN:

Yes, Thank you, Madam President.

I do accept the yield. I want to thank Senator Coleman for his support of this bill as well as Representative Fox. The cochairs of the Judiciary Committee have been, as I said, not just supportive, but understanding the importance of the State of Connecticut regulating these very

dangerous substances.

This was brought to my attention by the youth service bureaus around the state, specifically mine run by Michelle Devine in Southeastern Connecticut. She -- they had tried a year or so ago to bring this issue to the attention of the -- of a different committee and this year we revisited it in what we thought was a more appropriate committee, the Judiciary Committee.

And it was very enlightening to me. I go to a convenience store to just buy gasoline. I rarely go inside, but it was very clear that if I had I would have found these products for sale in a convenience store. They are in lovely little shiny packages. It says, you know, not to be ingested, but -- and it has, you know, a pretty little symbol on it and an eight year old can actually buy these products. There are no controls over who could buy these products. And they are not just sold in convenience stores. They are sold in, you know, gas -- drug paraphernalia shops, which is not surprising. And also in any regular tobacco or smoke shop. But the reality is they're readily available.

And there was such a concern in Southeastern Connecticut that the naval base has forbidden the sailors and enlisted men and women from frequenting certain businesses where these products are for sale. So this is an issue that is of concern, a wide-ranging of concern, not just for children, but for anyone. And I believe that with the passage of this bill and hopefully down in the House and the Governor's signature, that we'll be able to join those other 19 are other 20 states in regulating this product.

And it is good public policy and I certainly hope that the members of the circle will support this.

Thank you.

THE CHAIR:

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to support this bill and to add my comments along with those that were just made regarding this bill. It seems to come in an appropriate time after we spent all of Saturday

discussing the issue of marijuana and now we have an insidious product that was inadvertently -- the recipe for such was stolen and used in a way -- and unfortunately the use of this drug is not detected in tests, drug tests, which makes it even more difficult.

And unfortunately, about 1.8 million people between the ages of 12 and up have said that they've used it, but most commonly between the ages of 18 and 25, interestingly enough, and that also the drug has been used for the first time by 5.7 percent of high school seniors.

I believe that Senator Coleman has explained some of the symptoms that have been blamed for both seizures, suicides and even deaths and has prompted officials to take a hard look at this. And as stated, nearly 24 states have rapidly in the last year, seek to ban this product as the drug enforcement agencies are in the process of making this also a Schedule 1 drug and we've learned exactly what that means, being one of the most -- highest standards of prohibition that we have. Knowing that a lot of the reactions to the drug mimics regular marijuana in the state of confusion,

mhr/mb/rgd/gbr
SENATE

491
June 6, 2011

agitation, racing heartbeats, mania, hallucinations, elevated blood pressure and seizures, which is very dangerous indeed and speaks to the fact that they should be pursued and certainly supported and passed today along with a reminder that it has a dual problem for our society as long as regular marijuana as well. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

If -- oops. Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

If I could, a few questions through you to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Thank you.

Senator Coleman, as I understand reading the underlying measure we are now going to be prohibiting the sale and possession of this

synthetic drug. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN:

Through you, Madam President.

Practical effect, I think that is true. What the bill actually does is require the Commission of Consumer Protection to regulate these products by placing them on a schedule for controlled substances. If they are on Schedule 1 they would be considered illegal. If they are on Schedule 1 through 5, I think it would still be possible to get them through prescription. I don't anticipate that they would be on Schedules 2 through 5. I do believe that they would end up on Schedule 1.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

And as I understand it, the federal government is also pursuing this and is recommended that this is a Schedule 1 drug, like LSD, like marijuana.

Through you, Madam President, I know remarkably this is sold, you know, I think as Senator Stillman said, at a mobile mart, at a convenience store. Twelve year olds are buying it.

What -- upon passage and enactment of this, what is the penalty for any retail establishment for selling this if they were to continue to sell it?

Through you, Madam President.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN:

Through you, Madam President.

Upon passage and effect of this bill, there is -- there are statutes that are already written that address the possession of controlled substances. Those penalties would kick in. There are also statutes which address the sale of controlled substances. Those penalties would also kick in.

And I'm not sure if my recollection is going to serve me very well and accurately, but I believe that the penalty for possession of controlled substances would be something like Class A

mhr/mb/rgd/gbr
SENATE

494
June 6, 2011

misdemeanor, one year, \$1,000, something to that effect. Don't hold me to that, but it's something to that effect.

And for sale or possession, I believe that would be equivalent to a Class D felony.

SENATOR MCKINNEY:

Thank you, Senator.

And I think hopefully my last question or last line of questions, through you, Madam President, I'm not familiar with all of the Class 1 drugs that we have and the possession laws, but I do know that we have penalties related to cocaine and crack cocaine that are dependent upon the amount you have.

Obviously on Saturday we passed legislation that obviously needs House approval and signature by the Governor that differentiates between penalties for another Class 1 drug, marijuana, depending on how much you have.

Are the penalties for possession for this synthetic pot related to that, where if you have a certain amount is one penalty, if you have more, it's another?

Through you, Madam President.

mhr/mb/rgd/gbr
SENATE

495
June 6, 2011

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN:

Through you, Madam President.

No. The only similarity is, remember that marijuana is still considered a controlled substance, and we've decriminalized small amounts, meaning any amounts less than one half ounce.

But with respect to the items that are listed in this bill, the substances that are listed in this bill, all of those would be considered illegal. Through you, Madam President.

SENATOR MCKINNEY:

Thank you.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Senator Coleman. I appreciate you answering my questions.

Madam President, I will be very brief. First, obviously this is the right thing that we should be doing. I think, you know, anyone who's been watching the television over the last six months has learned about this. Those of us with young kids are extremely

concerned about it. A small footnote. I think sometimes we do things up here that get our constituents to sort of scratch their heads. And -- and I think that when you set a penalty for fake pot at any level of possession of a thousand dollars and a year in jail but then set a penalty for real pot at a fine or violation, people are going to scratch their heads. Should we ban this? Should it be a controlled substance? It should be. For the life of me, I don't know how I am going to explain to my constituents that we have one penalty for the fake pot and another one for the real pot. Thank you.

THE CHAIR:

Thank you will you remark further? Will you remark further?

Senator Coleman.

SENATOR COLEMAN:

Madam President, just in brief response to Senator McKinney's remarks. And I probably should have said this the other day when we debated the -- the so called decrimin bill. I think if you did a survey concerning what the penalty for a conviction of small amounts of marijuana would be, you would find that any fine imposed would be very much similar to

the violation amount that is included in the decriminalization bill that we did the other day. The fine could be as low as \$50 for the possession of small amounts of marijuana under the law as it exists today without consideration concerning the bill that was passed.

Typically, those fines are \$150, maybe around \$200, the same, almost virtually the same as what is included in the decriminalization bill that was passed. The only difference is what I tried to explain on whatever day it was. I suppose it was Saturday. Don't remember. There would be no criminal record for an individual who committed the violation of possession of a small amount of marijuana. I just thought that should be made clear, Madam President. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark? Will you remark further? If not, Mr. Clerk, will you please call the roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber. An immediate roll call vote has been ordered

mhr/mb/rgd/gbr
SENATE

498
June 6, 2011

in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Musto, do you want to vote? Yeah, okay. Good. Senator Fonfara. Thank you, sir.

Have all members voted? Have all members voted? The machine will be closed and the Clerk please tell us the (inaudible) tally.

THE CLERK:

Total number of voting on Senate Bill 1098.

Total Number voting 36

Necessary for adoption 19

Those voting Yea 36

Those voting Nay 0

Those absent and not voting 0

THE CHAIR:

The bill has passed. Mr. Clerk.

THE CLERK:

Madam President, calling from page 45, Calendar Number 353, substitute for Senate Bill Number 415, AN ACT CONCERNING STATE OVERSIGHT OVER HOOKAH LOUNGES, committee reports, Public Health and Planning and Development.

THE CHAIR: