

**Subcommittee on the Impacts of Legalizing Cannabis of the
House Committee on Administration of Criminal Justice**

Minutes of Meeting
2021–2022 Interim
December 16, 2021

I. CALL TO ORDER

Representative Marcus Bryant, chairman of the Subcommittee on the Impact of Legalizing Cannabis of the House Committee on Administration of Criminal Justice, called the meeting to order at 11:08 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Edward C. "Ted" James, II, chairman
Representative Marcus Anthony Bryant
Representative Bryan Fontenot
Representative Scott McKnight
Representative Richard James Nelson

STAFF MEMBERS PRESENT:

Katie LeLeux, attorney
Sadie Becnel, attorney
Alison Pryor, attorney
Zachary Gonzalez, attorney
Stephanie Weinman, committee administrative assistant
Megan Sanders, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms

III. OPENING REMARKS

Chairman Marcus Bryant welcomed the committee members and the public. Chairman Bryant briefly discussed the purpose of the subcommittee, which is to study the impacts of legalizing cannabis.

IV. DISCUSSION

Lisa Freeman, Louisiana Highway Safety Commission, 7919 Independence Blvd., Baton Rouge, LA 70806, (225) 925-6991, discussed impaired driving while under the influence of cannabis. Representative Bagley and Lisa Freeman discussed only presenting statistics relating to impaired driving due to cannabis consumption, instead of those that drove impaired using multiple substances.

Representative Nelson and Lisa Freeman discussed the road safety in California and Colorado in comparison to Louisiana. Representative Nelson and Lisa Freeman discussed educating the public about the dangers of driving while under the influence. Representative Nelson and Lisa Freeman also discussed using tax dollars generated from legalizing cannabis to repair the roads to make them safer.

Representative Bryant and Lisa Freeman discussed what other states have done to deter individuals from driving while impaired.

Representative McKnight and Lisa Freeman discussed an increase in polysubstance use while driving in states that have legalized cannabis for recreational use. Representative McKnight and Lisa Freeman also discussed the officers certified in field sobriety tests for cannabis consumption.

Gary Bennett, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (225) 343-8402, affirmed the association's support of Representative Bryant's House Resolution No. 1 from the 2021 Regular Session.

Shannon Dirmann, Louisiana Sheriffs' Association, 1175 Nicholson Dr., Baton Rouge, LA 70802, (850) 572-9993, pointed out the following issues: (1) the potential for property crime to increase; (2) the conflict with federal law, as cannabis is still a Schedule I drug; (3) the increase in the illegal market; (4) the possibility that legalizing cannabis for recreational use may not provide as much revenue as is projected; and (5) the increase in mental health cases.

Major Kary Beebe, Rapides Parish Sheriff's Office, 700 Murray St., Alexandria, LA 71301, (318) 446-2841, stressed the negative lifestyle changes that can occur when an individual uses cannabis.

Representative Nelson, Major Beebe, and Shannon Dirmann discussed that the medical marijuana programs are illegal under federal law. Representative Nelson and Shannon Dirmann discussed the six states that have legalized cannabis for recreational use have the lowest occurrences of violent crimes.

Representative Nelson and Major Beebe discussed the percentage of drug cases that involve individuals using cannabis and a way to make recreational use cannabis safe and regulated.

Representative Bryant and Shannon Dirmann discussed what actions sheriffs are taking to deter individuals from purchasing cannabis from the illegal market.

Representative Bryant and Major Beebe discussed the issue of keeping underage people from gaining access to illegal cannabis.

Representative Bagley, Shannon Dirmann, and Major Beebe discussed the potential increase in sales through the illegal market if recreational use cannabis is legalized. Representative Bagley, Major Beebe, and Gary Bennett discussed field sobriety tests for cannabis.

Representative Bryant and Shannon Dirmann discussed whether the law deters individuals from using cannabis. Representative Bryant and Major Beebe discussed the revenue that would be generated by the retail store owners.

Representative James and Shannon Dirmann discussed field sobriety tests for cannabis. Representative James and Shannon Dirmann also discussed the potential for lost revenue to the state if cannabis for recreational use was legalized.

Representative Fontenot, Major Beebe, and Shannon Dirmann discussed the number of arrests made for illicit sales of cannabis in states with legalized recreational use cannabis. Representative Fontenot and Major Beebe discussed how a law enforcement officer would determine if an individual was consuming a cannabis product from the illegal market or from a legal retail location. Representative Fontenot, Major Beebe, and Shannon Dirmann discussed the legal limits for cannabis consumption.

Representative Pressly, Major Beebe, and Shannon Dirmann discussed determining whether an individual was using a cannabis product from the illegal market or from a legal retail location. Representative Pressly and Major Beebe discussed implementing and studying the medical marijuana program in Louisiana first before legalizing cannabis for recreational use and the testing protocols that are in place. Representative Pressly and Shannon Dirmann discussed concerns related to the testing protocols in place, the impact on the workforce, the increased costs associated with legalizing cannabis, including training for Drug Recognition Experts, and increased property crimes.

Representative Bryant and Shannon Dirmann discussed whether there was an increase in property crimes when medical marijuana locations opened and if there have been concerns with the packaging and labels on medical marijuana products.

Representative McKnight clarified that the purpose of the subcommittee was to address the challenges that may arise if cannabis was legalized for recreational use. Representative McKnight and Major Beebe discussed continuing to study the impacts of legalizing cannabis for recreational use, field sobriety tests for those under the influence of cannabis, and the length of time cannabis is present in the body.

Representative Fontenot made a statement in support of law enforcement agencies and his willingness to work with law enforcement to prepare for the event of recreational use cannabis legalization.

Rebecca Chaisson, Louisiana State Police Crime Lab, 376 E. Airport Ave., Baton Rouge, LA 70806, (225) 925-4379, spoke about testing of seized substances, urine, and blood. Representative Bryant and Rebecca Chaisson discussed the data related to any legal medical marijuana products that were submitted to the crime lab for testing. Representative Bryant and Rebecca Chaisson discussed the cannabis from illegal markets being transported to Louisiana from other states that have legalized cannabis for recreational use.

Representative Fontenot and Rebecca Chaisson discussed the increase in toxicology tests performed by the crime lab and the procedure for toxicology tests in fatal and non-fatal motor vehicle accidents. Representative Fontenot and Rebecca Chaisson discussed the cost of toxicology tests, the amount of tests currently being performed, and data related to increased testing needed if cannabis was legalized for recreational use. Representative Fontenot and Rebecca Chaisson continued discussing crime lab testing and the increased number of tests, technicians, and other resources required to keep up with a higher volume of toxicology tests. Representative Fontenot and Rebecca Chaisson discussed differentiating between samples of medical marijuana and cannabis purchased on the illegal market. Representative Fontenot and Rebecca Chaisson discussed the various forms of edible cannabis, including in the form of beverages, candy, and potato chips.

Representative McKnight and Rebecca Chaisson discussed roadside testing for individuals under the influence of substances other than alcohol.

Representative Bryant and Rebecca Chaisson discussed whether the state police crime lab has increased staffing or increased its budget in anticipation of the medical marijuana program beginning in the state of Louisiana.

Representative Fontenot and Rebecca Chaisson discussed the percentage of tests that are positive for THC. Representative Fontenot and Rebecca Chaisson discussed a possible increase in auto insurance premiums if the number of fatalities were to rise in Louisiana.

Loren M. Lampert, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 343-0171, spoke about the Louisiana District Attorneys Association's support of House Resolution No. 1 from the 2021 Regular Session and his commitment to continue to study the issue.

Kurt Wall, Louisiana District Attorneys Association, 30200 Government Blvd., Livingston, LA 70754, (225) 686-3070, spoke on the potency of the cannabis that is available today and voiced his concerns with the various edible cannabis products available. Kurt Wall stated that legalizing cannabis for recreational use would affect the illegal market.

Representative Fontenot and Kurt Wall discussed the implications that legalizing cannabis would have on those that are currently incarcerated for cannabis-related crimes. Representative Fontenot and Kurt Wall discussed the K-9 police dogs and the impact that legalizing cannabis would have on the trained dogs.

Rachel Smith, Louisiana District Attorneys Association, 2525 Quail Dr., Baton Rouge, LA 70808, (225) 202-5790, and Representative James discussed establishing a per se limit for cannabis consumption and legal enforcement for cannabis-impaired drivers.

Kristy Miller, Drug Policy Board, 900 Third St., Baton Rouge, LA 70802, (225) 235-3073, summarized the research done by the Drug Policy Board related to the impacts of legalizing cannabis for recreational use. Kristy Miller spoke on the fiscal revenue from legalized cannabis in other states. She also spoke about the recommendations from the Drug Policy Board including: (1) reducing criminal penalties for personal use possession; (2) forming a more comprehensive approach to issues such as expungement, increased assessment and screening for treatment, diversion to drug court programs, and additional opportunities to help offenders gain access to social services; and (3) advocating to congress to expand cannabis research. Kristy Miller spoke for information only on further recommendations from the Drug Policy Board in the event that cannabis would be legalized for recreational use.

Representative Fontenot and Kristy Miller discussed the members of the Drug Policy Board, organizations or agencies that it represents, and the role of the board.

Representative James and Kristy Miller discussed the Louisiana state budget and the fiscal impacts of legalizing cannabis for recreational use.

Angela Broussard, 40225 Fenway Ave., Prairieville, LA 70769, (225) 572-1235, shared her personal experiences with medical marijuana.

Katie Mayers, no address provided, (225) 379-0123, shared her personal experiences with cannabis.

Bruce Reilly, Voice of the Experienced, 4930 Washington Ave., New Orleans, LA 70125, (504) 758-9420, spoke on postmortem testing, highway safety, auto insurance premiums, and testing for employers. Bruce Reilly spoke about his personal opinions related to legalizing cannabis for recreational use.

Representative James in the chair.

Dr. Murelle G. Harrison, Gardere Initiative, 8435 Ned Ave., Apt. A, Baton Rouge, LA 70820, (225) 769-0305, spoke about the Gardere Initiative, a coalition that addresses substance abuse and other social ills in the Gardere area, and provided two handouts, Exhibits A and B, which are included in

the committee records. Representative James made a statement commending the work Dr. Harrison does with the Gardere Initiative.

Representative Bryant back in the chair.

Tony Landry, Louisiana Veterans for Medical Cannabis, 815 Shankland Ave. Apt. 31, Jennings, LA 70564, (337) 412-2836, shared his experiences of using and advocating for medical marijuana and provided his written testimony, Exhibit C, which is included in the committee records.

Jerry Kaczmarek, 5607 Rosemary Pl., New Orleans, LA 70124, shared his experiences with cannabis.

Witness cards submitted by individuals who did not speak are as follows: 4 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 3 for information only.

V. ANNOUNCEMENTS

There were no announcements.

VII. ADJOURNMENT

The meeting was adjourned at 12:24 p.m.

Respectfully submitted,

Chairman Marcus Bryant
Subcommittee on the Impacts of Legalizing Cannabis