

# Kansas Peace Officers' Association



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## **Kansas Senate Committee on Federal and State Affairs Hearing on Senate Bill 555 "Medical Marijuana"**

### **Opponent Testimony of Kansas Peace Officers Association**

Chief Braden Moore, Sergeant At Arms, Kansas Peace Officers Association

Chair, Ranking Members, and Members of the committee, thank you for allowing Kansas Peace Officers Association to submit written testimony to the committee. As the largest law enforcement officer association representing over 3,000 Peace Officers in this state, I must say we stand in opposition to Senate Bill 555. The enforcement challenges this bill presents are not only problematic for field level officers but also present fiscal challenges for agencies and the state. The following points are not an all-inclusive list of challenges we are going to face, but rather a small sample that can be presented for testimony.

- Drug related DUI testing is a big issue. As of now, we utilize a Drug Recognition Expert when we have a drug related DUI. A lot of times they are in high demand and short supply, having to travel from other jurisdictions if they are available. This is not an easy certification to obtain. Further, if we have an accident where the driver is unconscious, we must do a blood draw or other testing. It simply shows a positive or negative result of THC. There is no way to know the level of impairment for someone who tests positive for THC. They may have used Marijuana days ago but still test positive when testing is done.
- Testing marijuana is already time-consuming and expensive. The turnaround time is nine months to one year right now, depending on the lab. Sending suspected marijuana to labs takes a lot of time as it is and costs hundreds of dollars per test. Labs will be required to purchase other testing means for the variable types of marijuana products we recover in the field thus increasing the cost associated with the prosecution of violations.
- Counterfeit prescription cards will be an issue, as it is in any state that has legalized the use of medicinal marijuana. Another issue is that because this is a prescription and issued by a doctor, it falls under HIPPA. How can we verify a card holder with a doctor or medical provider when it's protected under HIPPA?

- If medicinal marijuana is made legal in the State of Kansas, we are going to see a spike in “Black Market” growth and distribution. This will bolster organized crime and the cartel presence in that market because it avoids any tax or fees associated with the legal purchase of marijuana product pursuant to a prescription card. Counterfeit “prescription” containers and cards will be used to cover for marijuana products grown or produced in the black market. This increases backlogs on testing, backlogs in the District Attorney’s Office for cases, and further bolsters all the satellite crimes we see with the illegal drug industry already.
- It’s not hard to see a correlation between violent crime and the drug industry, whether legal or not. The legalization of a drug does not lower crime rates but will increase them in the form of illegal grow operations and distribution. An article printed March 8<sup>th</sup>, 2023, found in the Enid News and Eagle showed Oklahoma Bureau of Narcotics had shut down more than 800 illegal grow operations in the past two years, arrested more than 200 managers and “Cartel Lieutenants”, and seized more than 600,000 lbs. of marijuana destined for the black market. Out of 6200 grow farms, 3,000 are under investigation. This brings in more human trafficking, more money laundering, more violent crimes, and international black-market ownership. We already have an issue in the U.S. with foreign entities buying up crop land, if this bill gets passed, we will see the same in Kansas. All this is already taking place on our state’s southernmost border. Is this what we want for the future of Kansas?
- The State of Kansas is not the only entity that has to hire personnel. More police officers, deputies, detectives, and attorneys will be needed. It’s the local counties, cities, and taxpayers as a whole who will foot the bill to protect their Counties and Towns. Oklahoma Bureau of Narcotics became so overrun with Marijuana issues they had to start a Marijuana Enforcement Division. Our budgets and staffing are already overwhelmed. This is just adding fuel to the fire.

As you can see Kansas law enforcement will face many challenges in the enforcement of this bill if it becomes law. Our officers care dearly for the communities we are sworn to protect and we do not want to see a law passed where agencies already struggling with staffing and budget shortfalls, struggle more due to the increased strain this bill will create. It is about the safety of our communities, the safety of our state, and protecting the reputation our state has embraced all these years.

Braden Moore  
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