

From: [John](#)
To: [DOJ: Commission on Law Enforcement Accountability](#)
Subject: Testimony for Commission
Date: Sunday, July 12, 2020 8:01:54 PM
Attachments: [202007081322111653496031_decriminalizationreportjuly2020.pdf](#)
[NHResults_012616.pdf](#)
[Topline-2020-01-WBUR-NH-Dem-Primary-WITH-DRUGS-3.pdf](#)
[Two in Three NH Residents Support Legalization of Marijuana For R.pdf](#)

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Thank you to Governor Sununu for setting up this Commission and to members of the Commission for their participation.

I have attached the documents linked throughout this Testimony in case any of the documents are taken down from their respective websites.

I am writing to recommend the Commission study the issue of decriminalizing all drugs in New Hampshire and establishing a safe supply source for users of drugs in New Hampshire to combat the issue of impure or fraudulent drug sales in the state (e.g. secretly lacing or substituting heroin with Fentanyl). Currently New Hampshire law still criminalizes possession of certain drugs, and the supply side of the market remains under the control of dubious black market criminal sources.

New Hampshire's policy of criminalizing certain drugs puts NH law enforcement in opposition to public opinion and drug policy best practices, an unfair and unenviable position for law enforcement to be in and one that puts unnecessary strain on the relationship between law enforcement and the general public.

On July 10, 2020 the Canadian Association of Chiefs of Police (CACP) published a report that concluded by supporting the decriminalization of simple possession of all drugs:

We agree that evidence suggests, and numerous Canadian health leaders support, decriminalization for simple possession as an effective way to reduce the public health and public safety harms associated with substance use...

Merely arresting individuals for simple possession of illicit drugs has proven to be ineffective. Research from other countries who have boldly chosen to take a health rather than an enforcement-based approach to problematic drug use have demonstrated positive results.

https://www.cacp.ca/index.html?asst_id=2189

New Hampshire residents have also expressed support for decriminalizing all drugs, with a majority of poll respondents supporting drug decriminalization and treating drug abuse as a health issue rather than a criminal issue.

https://www.drugpolicy.org/sites/default/files/NHResults_012616.pdf

<https://d279m997dpfwgl.cloudfront.net/wp/2020/01/Topline-2020-01-WBUR-NH-Dem-Primary-WITH-DRUGS-3.pdf>

Meanwhile, New Hampshire law continues to criminalize possession of small amounts of certain drugs, which is at odds with public sentiment and creates a tense relationship between the public (the majority of whom favor drug decriminalization) and law enforcement (who are tasked with enforcing unpopular drug prohibition laws).

Additionally, while neighboring states have already created frameworks establishing the legal sale of recreational cannabis, New Hampshire so far continues to criminalize recreational cannabis sales. This again puts New Hampshire law in opposition to public sentiment, with over 2/3 of New Hampshire residents supporting legal recreational cannabis sales.

https://scholars.unh.edu/survey_center_polls/554/

Given these facts, to help improve the relationship of law enforcement and the general public, and to better align law enforcement priorities with public sentiment and emerging best practices for dealing with issues related to drug abuse and the supply side of the market, I support legislation that would fully decriminalize possession, production, and sales of all drugs, and expunge the criminal records of those who have been convicted of non-violent drug related crimes. I also support legislation that would use state funding previously budgeted for enforcing drug prohibition to instead provide limited time direct cash disbursements as reparations to the victims of drug prohibition, including the many people who have been arrested, imprisoned, and weighed down by a criminal record for non-violent drug crimes. This would help compensate for the many, often life-long costs associated with being arrested and convicted of a non-violent drug crime.

I urge the Commission to study the issue of drug decriminalization closely. I have no doubt that upon a careful examination of the facts you will reach the same or similar conclusions as I have, and we can close the gap that currently exists between New Hampshire law and public sentiment on drug policy.

John in Manchester, NH