**MINUTES**

**Substance Abuse Services Council**

**December 2, 2014**

Virginia Association of Community Services Boards

Richmond, Virginia

**Members Present:**

Stephanie Arnold, *Department of Criminal Justice Services (DCJS)*

The Honorable George L. Barker, *Virginia State Senate*

Henry Harper, *Virginia Foundation for Healthy Youth (VFHY)*

Parham Jaberi, M.D., *Department of Health (VDH)*

Butch Letteer, *Department of Motor Vehicles (DMV)*

Art Mayer, *Department of Juvenile Justice (DJJ)*

Jamie MacDonald, *Virginia Association of Community Services Boards (VACSB-Prevention)*

Charlene Motley, *Commission on the Virginia Alcohol Safety Action Program (VASAP)*

Ron Pritchard, *Virginia Association of Addiction Professionals (VAAP)*

Mellie Randall*, Department of Behavioral Health and Developmental Services (DBHDS)*

Zandra Relaford*,* *Department of Social Services (DSS)*

Patricia Shaw, *Virginia Drug Court Association (VDCA)*

The Honorable Scott W. Taylor, *Virginia House of Delegates*

Nassima Ait-Dauod Tiouririne, M.D., *Dept. of Psychiatry and Neurobehavioral Sciences, UVA*

William H. Williams, *Virginia Association of Community Services Boards (VACSB-SA Council)*

Diane Williams-Barbour, *Virginia Certification Board (VCB)*

The Honorable Jennifer T. Wexton, *Virginia State Senate*

Eddie Wirt, *Alcoholic Beverage Control (ABC)*

**Guests:**

Shirley Ginwright, *Fairfax County NAACP*

Jeremy Grandstaff, *Virginia NORML*

Lori G. Rice, *Department of Motor Vehicles (DMV)*

Jerry Parshall, *Legislative Aide to Senator Wexton*

**Staff:**

Lynette Bowser, *Department of Behavioral Health and Developmental Services (DBHDS)*

Margaret Anne Lane, *Department of Behavioral Health and Developmental Services (DBHDS)*

Karen Taylor, *Office of the Attorney General (OAG)*

1. **Welcome and Introductions:** The meeting was called to order by the Council Chair, William Williams. Mr. Williams welcomed members and guests and asked all attendees to introduce themselves.
2. **Review & Approval of Minutes of September 24, 2014 Meeting:**

Shirley Ginwright requested a correction on page 10, under Ms. Ginwright’s comments, in the third sentence: delete the word “lost” and replace it with “they could have lost PELL grants had they been convicted.” Also, in the next sentence, delete “drop out” of college and replace with “could not attend” college.

A motion was made by Ron Pritchard and seconded by Charlene Motley to accept the minutes as amended. The motion was approved.

1. **Old Business: Briefing on the Governor’s Task Force on Prescription Drug and Heroin Abuse**

Mellie Randall reported that the Governor’s Task Force on Prescription Drug and Heroin Abuse was formed by Executive Order #29 signed by the Governor in September. The task force is organized into five workgroups: treatment, education, data and monitoring, law enforcement, and storage and disposal. All five workgroups include a person with lived experience, as well as people with expertise and knowledge. Several members of SASC serve on the task force. Ms. Randall reported that the treatment workgroup is focusing on parity and Medication Assisted Treatment; the education workgroup is concentrating on treatment providers, prescribers and the public. The task force’s final report will be due to the Governor by the end of the Fiscal Year.

1. **New Business: Discussion About Marijuana Policy and Decision About Council’s recommendations to be Presented in a Letter to the Governor and Members of the General Assembly**

Chairman Williams stated that the council has listened to presentations and discussion, both pro and con, and it is time to make recommendations on this serious subject. There are mixed opinions and emotions: some advocate medical marijuana in certain medical conditions; some advocate recreational marijuana without penalty for certain amounts possessed; some believe that the criminal justice system disproportionately affects people of color.

Ms. Randall stated that four options for a letter to the Governor were drafted based on the council’s discussion following the presentations given during previous council meetings. The council chair opened the floor for discussion, which included the following major comments:

* Senator Wexton commented that it is her understanding that a bill is going to be introduced by Senator Marsden that would allow CBD oil to be administered through the Virginia medical schools as part of a research protocol. This oil would be administered through medical schools within certain parameters and might have potential benefits without inherent risks.
* Dr. Ait-Dauod Tiouririne commented that some researchers are reconsidering what were thought to be negative consequences of marijuana and questioning how severe they are. Because there is still much to be learned, she recommends further study before council makes any recommendation to approve using marijuana.
* Dr. Jaberi pointed out that members are asking the physicians in the room for more information (e.g., dosage, medical effects, etc.). Council is trying to make a medical decision, which he believes is not appropriate. The council needs to look at all aspects (social and behavioral impacts, the impacts on education and law enforcement, etc.), not just the medical component. Further study is needed.
* Chairman Williams agreed. He thinks that this issue must be based on a good understanding of the facts. It does not just involve one portion of our public or private sectors; it does involve criminal justice, federal law, current legislation, and certainly the medical aspects of marijuana. He believes that some jurisdictions that have decriminalized marijuana have done so without sufficient understanding or significant studies. He believes that the council has had good discussion about it after hearing multiple viewpoints presented. In any decision the council makes, it has to keep in perspective whether its recommendation can be beneficial to the state. He suggests conducting a concentrated study on this topic before making any formal recommendation.
* Senator Wexton commented that if the council recommends appointing a task force, it should be made clear that we are only talking about medical marijuana.
* Delegate Taylor questioned whether the study should be broader, not just simply the medical aspect. The council should anticipate having to deal with recreational use as well, given that other states have approved it.
* Mr. Pritchard commented that he felt competing interests will blur the lines about what the council is recommending and confuse the issue.
* Chairman Williams commented that any suggestion that the council makes to the General Assembly should be in the form of a recommendation that is inclusive.
* Senator Barker commented that if the council is looking at recommending appointing a task force, a separate task force would provide opportunity for getting a broader set of people in, but the council can also invite those people to present to us. He believes that making a recommendation is the responsibility of the council
* Senator Barker also stated that if council chooses some version of Option “A”—recommending further study and evaluation by some entity over the next year—it would be helpful to include some information (pro and con) that has already been presented to the council at the last two meetings.
* Dr. Jaberi stated that although it was hoped that the council would be making some tough decisions at today’s meeting, if members are not sure what the right answer is even after the wealth of information presented, perhaps the honest recommendation is that members are open to further studies.
* Senator Barker suggested that it would be helpful to have some specific facts from the presentations that council heard. The letter should be expanded with bullet points or the information should be prepared as an attachment to the letter.
* Ms. Randall stated that if the council chooses to be the body where this work is done, small workgroups should be created to include participants with specific expertise.
* Ms. Shaw commented that she believes more study is needed for the council to make a good informed decision. The point of needing extra resources for a taskforce should be considered. She supports Option A as a good recommendation.
* Mr. McDonald commented that the letter should be focused and clear. Taking our time and looking at the experiences of other states is important. Many of them did not prepare very well for their decisions in terms of all of the different elements that the council has talked about and are really just beginning to experience the effects of their decisions. He is not in a hurry to leap to a decision based on fairly limited data from other states and he recommends additional study.
* Mr. Mayer noted that he works in the Department of Juvenile Justice’s treatment program. Over 90% of their committed youth come in with substance abuse treatment needs and report that they can easily get marijuana. He cannot confirm what his department’s stance is on this topic because it is a very gray area for DJS. Before agreeing to a recommendation, he would need to get his director’s opinion on it.
* Ms. Arnold commented that she agrees with Mr. Mayer regarding her department. If the council goes forward with a task force, law enforcement must be part of the conversation.
* Senator Barker commented that the political dynamics on this issue have fundamentally changed. Legislators hear from lots of people who would like to have legalization of recreational marijuana, not just medical marijuana. He feels that the council needs to take a serious look at this to come up with the right recommendation. The council has a lot of information but is are not at the point of stating specifically what it wants to do in the long term. It will take more than a year to get a final answer but the council needs to have some answers next year with a rationale and some specific recommendations.
* Senator Barker stated that it is important that the council pay some specific attention to adolescents and the potential for consequences to them if is legalized for adults. He also recommends that the council find out what the FDA process entails.
* Dr. Jaberi stated that it is his personal opinion that he has not been provided with enough evidence to think that right now is an appropriate time to make a change to our state laws and policies and he defaults to what we already have.
* Mr. Harper added that he also has his personal opinion on the issue, but wonders how many council members can come to the table today representing their respective organizations/agencies, etc., and make a recommendation. He also questioned how many council members will have to abstain from voting on a recommendation because their agency cannot have a public opinion on the issue.
* Chairman Williams said that he thinks the council is ready to make a decision about the letter and that the bulleted information suggested by Senator Barker should be added.
* Ms. Rice commented that anything that the council can do to educate our legislators and the public about the facts is critical.
* Delegate Taylor commented that information leads to reason, but emotion leads to action. He feels that it is within the scope of the council to give factual information to the decision makers and public to mitigate some of that emotion.

After the council’s lengthy discussion, Senator Barker offered the following recommendation to be included in the letter: ***the council recommends that the Governor direct the Substance Abuse Services Council to continue its in-depth study of medical marijuana and of legalization or decriminalization of marijuana and of the social, public safety, legal, economic, and other effects on the Commonwealth and its residents, and to prepare a report of their findings and recommendations by December 1, 2015.***He also recommended that a bulleted list be included to detail the information that the council heard and studied this past year. Council agreed to these recommendations. [Note: Senator Barker’s recommendation and the bulleted list were included in the letter that was prepared and forwarded on December 29, 2014.]

1. **Public Comment:**

Shirley Ginwright, president of the Fairfax County NAACP, stated that she represents only the Fairfax County NAACP, not the state organization. At a recent NORML conference the top priority was to develop an educational brochure to educate the public about marijuana. She has been working with clergy and presidents of some NAACP chapters to inform them about Senator Evan’s proposed bill for legalization. She and Dr. Burnett will be speaking with the Fairfax County Police Department to educate them on medical marijuana. She reported that new statistics from the Fairfax County Police Department on the arrest rates for marijuana possession indicate that although disproportionality still exists, it is not as large as it has been in the past.

Jeremy Grandstaff thanked the council for allowing NORML to provide some of the facts that will be referenced in the recommendation. He stressed the medical value that cannabis can bring to someone who may need it. As a citizen and a Virginia businessman, he noted that it’s difficult for prospective employees to qualify for jobs when they have a marijuana arrest record. He appreciates the council’s research and hopes it will help young adults to become fully productive members of society.

1. **Other Business:**

Ms. Lane informed council that it is “Conflict of Interest” reporting time. The process can be completed on-line, and she will be sending members the link for reporting.

Mr. Pritchard informed members about the Virginia Summer Institute for Addiction Studies, which will take place in July in Williamsburg.

1. **Adjournment:**

There being no further business, the meeting was adjourned.

Respectfully submitted,



Lynette T. Bowser