

## Testimony of Chief James Kruger, President ILACP

HB2353 and SB316 Joint Appropriations Committee, Illinois State Capital

September 6, 2017

Good Afternoon, my name is James Kruger, Chief of Police of the Oak Brook Police Department and President of the Illinois Association of Chiefs of Police. I am here today on behalf of the 1300 members, representing over 900 communities of the Illinois Chiefs to register are deep concern and opposition to the potential of a recreational marijuana law in the state of Illinois.

The members of our association are responsible for the public safety and well-being of many of the inhabitants of our state. We are concerned with the following issues pertaining to this bill. First is the overall potential for an increase in crime. There has been much said about the potential for the reduction of crime based upon the belief that police officers will not be concentrating on lower level marijuana possession arrests thus allowing them more time for the investigation of more serious criminal activity, but our Colorado and Washington colleagues have told us that the opposite is true. Make no mistake, the gangs and drug cartels are criminal business enterprises and where there is the loss of one market, they will and have found another. We can only look to the fentanyl and opioid crisis to see that. The one law these criminals do follow is the law of supply and demand.

The second is the issue of public health. While we are not here as subject matter experts in that field, our colleagues have been approached by their businesses and chambers of commerce, where they have very close relationships, and have been told that the business owners in their communities are concerned with the potential employee injuries and workers comp claims leading to losses in productivity and erasing any potential increases in the alleged economic boost that recreational marijuana would bring to local economies. We must recognize that the TCH level today is much greater than what it was 10 or 20 years ago and that with the availability of edibles, placing children also at risk.

Now for the third and most worrisome issue expressed by our membership, and that is of traffic safety. We have analyzed the information coming out from Colorado and as Chief Lemming has stated, we have spoken to chiefs as well as representatives from Rocky Mountain HIDTA. The truth is fatal traffic crashes are

on the rise in Colorado and unfortunately, they are also on the rise in Illinois without recreational marijuana. A recent article from the Denver Post cited that between 2013 and 2015 while the presence of alcohol in fatal crashes grew 17%, those testing positive for marijuana jumped 145%. 52% of Drivers in fatal crashes in 2014 had no presence of alcohol with marijuana and that grew to 69% in 2016. The average age was 35, with a quarter of those over the age of 40.

One chief stated in the article that during an average DUI arrest when there is the presence of alcohol the officer stops after obtaining a positive breathalyzer result since the burden has been met rather than spend the next 2 hours in the ER and cost nearly \$500 for the blood test. There's no difference in the outcome. LE has done their job and move on.

While it has been widely reported that there is a field test or breathalyzer readily available for law enforcement to use, our research continues to show that these instruments only show the presence of THC and not the actual nanogram levels in a person's blood stream. Those instruments are a couple of years away and extremely expensive, thus giving us the only option of taking a motorist to the hospital for a blood draw and waiting weeks for a lab result.

Another startling fact in the article is that a lab in Colorado that tests for marijuana found 80% of results were for active THC indicating use within hours of when the sample was taken, removing the argument of THC staying in the blood stream for a week to mislead the real risk to the motoring public.

To drive this point closer to home I would like to read an account from my own community taken directly from a police report written just last week:

#### READ REPORT

Some proponents of recreational marijuana have drawn the comparison to prohibition. But I would respectfully ask you to not be lulled to the draw to fast easy money for instant gratification without any regard to the lasting effects or the unintended consequences. That's called something entirely different.

Thank you