

HCR48 Dispensary Task Force  
Federal Interface Subcommittee  
Update #2, October 14, 2014

**Q1. How do we protect state licensed dispensaries from potential federal interference, and enlist the support of local/state law enforcement ?**

In order for dispensaries to be protected from potential federal interference, we first need to understand the law enforcement network that could impact such dispensaries.

Director Yabuta of Hawaii HIDTA provided the list of Hawaii HIDTA Executive Board members below. This structure suggests that once Marijuana is properly scheduled, the state would have a rich network of law enforcement resources available to make sure that Marijuana is properly regulated.

**FEDERAL AGENCIES:**

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)  
U.S. Coast Guard- JIATF West  
U.S. Customs and Border Protection (CBP)  
U.S. Drug Enforcement Administration (DEA)  
Federal Bureau of Investigation (FBI)  
Homeland Security Investigations-Immigration and Customs Enforcement (HSI-ICE)  
Internal Revenue Service (IRS)-Criminal Investigations  
Naval Criminal Investigative Service (NCIS)  
United States Attorney's Office (USAO)  
United States Marshals Service (USMS)  
United States Postal Inspection Service (USPS)

**STATE AGENCIES:**

Hawaii State Attorney General's Office  
Department of Public Safety – Director  
Department of Public Safety- Sheriff's Division  
Hawaii National Guard

**LOCAL AGENCIES:**

Honolulu City and County Prosecutor's Office  
Hawaii Police Department  
Honolulu Police Department  
Kauai Police Department  
Maui Police Department  
Western States Information Network (WSIN)

**Q2. Are there steps that the State can take to prevent potential federal interference ?**

An opinion from the State AG, if supportive of the State’s authority to accept the medical use of Marijuana, could go a long way towards protecting potential manufacturers and dispensary owners.

**Q3. How do we allow for intra-state transportation by patients and producers ?**

The 2010 Medical Cannabis Working Group made the following recommendations regarding inter-island transportation: (<http://dpfhi.org/wp-content/uploads/2013/08/1002mcwg.pdf>)

“Currently, Alameda County, California has issued such a memo to the Sheriff's Deputies who provide security at Oakland International Airport. In Hawai'i, a similar memo should be issued and should also be sent to local non-airport security checkpoints such as courthouses and arena events. Further research is needed to discover the appropriate entity to issue such a policy which could be done either at the county or state level. A resolution from the State Legislature could be the means of mandating action on this issue.

The Hawai'i State Legislature may want to consider revising Section 329-121 to specifically define “transportation” to address possession, delivery, control, acceptance and/or receipt of cannabis and/or cannabis paraphernalia for the purpose of transporting to or from a caregiver to a patient, a patient to a caregiver, a caregiver to a caregiver, or a patient to a patient from one island to another island.”

The Department of Transportation oversees the administration of all airports in the State. <http://hawaii.gov/hnl/airport-information/state-airport-system>, <http://hidot.hawaii.gov/airports/>



**Oahu District**

Honolulu International Airport (HNL)

Kalaeloa Airport (JRF)

Dillingham Airfield (HDH)

**Maui District**

Hana Airport (HNM)

Kalaupapa Airport (LUP)

Kahului Airport (OGG)

Kapalua Airport (JHM)

Lanai Airport (LNY)

Molokai Airport (MKK)

**Hawaii District**

Kona International Airport (KOA)

Hilo International Airport (ITO)

Upolu Airport (UPP)

Waimea-Kohala Airport (MUE)

**Kauai District**

Lihue Airport (LIH)

Port Allen Airport (PAK)

DOT would be the state agency responsible for coordinating with TSA and DEA to create a protocol for inter-island transportation by registered patients in compliance with state law. The protocol in place at the Oakland Airport is an example of how this can be done (attached). Transportation by potential manufacturers could be problematic given the larger quantities of material involved.