

House Government Oversight Committee

Testimony on Senate Bill 261

March 24, 2022

Good morning, Chairman Wilkin, Vice-Chair White, and Ranking Member Brown,

My name is Jay McDonald, and I am a 29-year law enforcement officer with the Marion Police Department, where I currently serve as the Chief of Police. Thank you for allowing me to give opponent testimony on SB 261. Today, I represent the 24,000 members of the Fraternal Order of Police, whom I serve as their Past President and current Legislative Chair.

The FOP's interest in SB 261 mainly lies with the provisions to transfer the portions of the Medical Marijuana Program currently overseen by the Board of Pharmacy to the yet to be created Division of Marijuana Control in the Department of Commerce, the provision to allow advertising of medical marijuana on social media and other platforms and the allowance of a marijuana prescription for nearly any condition.

We strongly support keeping the regulatory provisions for medical marijuana with the Board of Pharmacy. We see no reason to change the oversight from the Board of Pharmacy. The agents at the Board of Pharmacy are well trained and have significant law enforcement experience. They are the only state agency to have experience in criminal laws and regulatory procedures for the legal distribution of drugs in this state. Board of Pharmacy Agents has spent years building relationships and partnerships with local law enforcement agencies and prosecutors across Ohio. That experience helps the Board of Pharmacy investigate and prosecute violations of criminal laws and helps dispensaries come into compliance when they are breaking an administrative rule or law.

The FOP of Ohio believes that allowing marijuana advertising on social media or other platforms will also expand its illegal use. We are concerned about advertising appealing to juveniles and the resulting harm from that. We are also worried about potential patients being influenced into trying marijuana outside that current regulatory structure because of the advertising.

The Fraternal Order of Police also strongly supports that the existing structure for allowable ailments or conditions is unchanged. Other states have seen doctors' offices and dispensaries in the same building and patients being caught in an assembly line fashion to get their medical marijuana card for nearly any condition. We do not believe that there is a compelling reason to change how it is done in our state. In fact, some states are transitioning to a stricter compliance system and increasing the law enforcement capabilities of the regulator, like Oklahoma.

We do not believe that making this significant change in the regulation of medical marijuana is needed in Ohio and that any issues that need to be fixed can be fixed within the existing structure.