

Committee on Labor and Civil Service
March 14, 2018

Page 1

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LABOR AND CIVIL SERVICE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, March 14, 2018
10:10 a.m.

PRESENT:

COUNCILWOMAN CHERELLE L. PARKER, CHAIR
COUNCILMAN ALLAN DOMB
COUNCILWOMAN HELEN GYM
COUNCILMAN BOBBY HENON
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN AL TAUBENBERGER

BILL 180012 - An ordinance amending Section
21-105 of The Philadelphia Code, entitled
"Hero Awards," by increasing the amount that
may be awarded to family members...

RESOLUTION 170839 - Resolution authorizing
City Council's Committee on Labor & Civil
Service to hold hearings regarding the State's
legalization of medical marijuana...

- - -

Committee on Labor and Civil Service
March 14, 2018

Page 2

1 3/14/18 - LABOR - BILL 180012, ETC.

2 COUNCILWOMAN PARKER: Good
3 morning. This hearing is called to
4 order. This is the public hearing of the
5 City Council Committee on Labor and Civil
6 Service. The purpose of this public
7 hearing is to hear testimony on Bill No.
8 180012 and Resolution No. 170839.

9 I want to recognize that a
10 presence of a quorum of Committee members
11 are in attendance. To my left is
12 Councilman and Majority Leader Henon. To
13 my right is Councilman Taubenberger,
14 Councilwoman Maria Quinones-Sanchez, and
15 Councilman Allan Domb.

16 I want to ask the Clerk to read
17 the title of the bill for consideration
18 today.

19 THE CLERK: Amending Section
20 21-105 of The Philadelphia Code, entitled
21 "Hero Awards," by increasing the amount
22 that may be awarded to family members of
23 firefighters, police officers, and
24 prosecution detectives killed in the
25 course of performing heroic deeds, and by

1 3/14/18 - LABOR - BILL 180012, ETC.

2 making certain technical changes; all
3 under certain terms and conditions.

4 COUNCILWOMAN PARKER: The Clerk
5 will please call the first panel of
6 witnesses to testify on the bill.

7 THE CLERK: Commissioner Adam
8 Thiel, Sergeant Matthew White, Ed Marks,
9 and Nick DeNofa.

10 (Witnesses approached witness
11 table.)

12 COUNCILWOMAN PARKER: We want
13 to thank the first panel for being
14 seated. Before you proceed with your
15 testimony, we will ask that you state
16 your name for the record, but prior to
17 your doing that, we wanted to wait until
18 you were seated and we want to make sure
19 that we give the undivided attention to
20 the bill sponsor, Councilman Allan Domb,
21 for some comments.

22 Councilman Domb.

23 COUNCILMAN DOMB: Thank you,
24 Madam Chairwoman. First, I want to thank
25 you, Chairwoman Parker, for your

1 3/14/18 - LABOR - BILL 180012, ETC.
2 leadership and for convening the
3 Committee this morning. I also want to
4 thank everyone who has waited on the
5 legislation I, along with my colleague
6 Councilman Taubenberger, have put
7 forward. Your time, input, and support
8 has been invaluable.

9 This important piece of
10 legislation increases the amount of money
11 the City awards the immediate family
12 members of firefighters, police officers,
13 and prosecution detectives who are killed
14 in the course of performing heroic deeds
15 on behalf of the City of Philadelphia.
16 These fallen heroes, fellow citizens,
17 fellow Philadelphians are performing the
18 most selfless service to our city,
19 putting their lives on the line day in
20 and day out to protect each and every one
21 of us.

22 This legislation increases the
23 Hero Awards to \$100,000. I wish we could
24 do more, but at least it increases it to
25 100,000.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 While no amount of money can
3 heal the grief of the families of our
4 fallen heroes, hopefully this may provide
5 them with some level of support.

6 Thank you again for your time
7 and consideration. I ask the Committee
8 for its support and for a suspension of
9 the rules to allow first reading at our
10 next session of Council.

11 Thank you, Madam Chairwoman.
12 COUNCILWOMAN PARKER: Thank
13 you.

14 We will ask the panel to just
15 identify yourselves for the record.

16 MR. DeNOFA: Nick DeNofa. I'm
17 one of the Vice Presidents of the FOP.

18 SERGEANT WHITE: Sergeant
19 Matthew White from the Philadelphia
20 Police Department.

21 MR. MARKS: Ed Marks, Local 22,
22 Firefighters.

23 COUNCILWOMAN PARKER: Thank
24 you. Feel free to proceed with your
25 testimony.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 MR. DeNOFA: Good morning,
3 Councilmembers, Councilman Domb, Sanchez,
4 Taubenberger, Parker, Councilman Henon.
5 On behalf of President John McNesby, my
6 name is Nick DeNofa. I'm one of the Vice
7 Presidents of the Fraternal Order of
8 Police. I would like to personally thank
9 this Committee for your consideration in
10 the Heroes Award bill increase.

11 No amount of money can ever
12 replace a family member who is suddenly
13 destroyed by violence. This is
14 particularly true when the family members
15 are public servants, who voluntarily give
16 up their lives for their fellow citizens.
17 Nevertheless, the Fraternal Order of
18 Police deeply appreciates the compassion,
19 the generosity demonstrated by this
20 Council in the creation of the Heroes
21 Award.

22 The financial assistance
23 provided by the Heroes Award helps take
24 away one burden off the shoulders of a
25 grief-stricken family. However, as with

1 3/14/18 - LABOR - BILL 180012, ETC.
2 anything else, costs have steadily risen
3 since the original bills passed with a
4 fixed amount. This is the reason we are
5 respectfully requesting the generosity
6 increase in the amount offered. The
7 additional funds will allow you to
8 compensate future families with the same
9 level of generosity you've shown to
10 families in the past.

11 On behalf of all of our members
12 of 14,500 and their families, we are
13 counting on your continued compassion and
14 support.

15 We thank you.

16 COUNCILWOMAN PARKER: Thank
17 you. Thank you, Nick.

18 SERGEANT WHITE: Good morning,
19 Chairwoman Parker and members of the
20 Committee on Labor and Civil Service. On
21 behalf of Commissioner Ross, I would like
22 to thank you for giving the Police
23 Department the opportunity to voice its
24 opinion regarding Bill No. 180012 related
25 to Hero Awards.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 As you know, the current Hero
3 Award set forth in City Code Section
4 21-105 is \$50,000 awarded to the
5 surviving spouse or dependent children or
6 dependent parents of every firefighter
7 and police officer killed in the course
8 of performing a heroic deed. The payment
9 of this amount is currently \$1,000
10 stretched over a 50-month period. I am
11 here today to fully support increasing
12 this award to \$100,000 and increasing the
13 monthly payout to \$2,000 for a 50-month
14 period.

15 The fear of police officers --
16 and I'm sure the same is true for
17 firefighters -- is not the danger we face
18 every day. The brave men and women of
19 our Police and Fire Departments run
20 towards danger willingly to serve and
21 protect. Rather, the top fear of these
22 men and women is not being there to
23 support their families. To the families,
24 money can never replace the heroes we
25 lose, but to those police and

1 3/14/18 - LABOR - BILL 180012, ETC.

2 firefighters on the street today, this
3 bill will show that the City cares about
4 them and, equally important, about their
5 families.

6 So on behalf of my Commissioner
7 and the police officers, I would like to
8 thank Councilmembers Domb, Taubenberger,
9 Parker, Oh, Squilla, Henon, and O'Neill
10 for sponsoring this bill.

11 This concludes my testimony,
12 and I'd be happy to answer any questions.

13 COUNCILWOMAN PARKER: Thank
14 you, Matthew.

15 MR. MARKS: Good morning. My
16 name is Edward Marks. I'm President of
17 Local 22 of the International Association
18 of Firefighters and Paramedics unit here
19 in Philadelphia, and I'm here today to
20 testify in support of Bill No. 180012,
21 which looks to increase the death benefit
22 awarded to our members of our union,
23 among others, that are killed in the line
24 of duty.

25 I would like to take a moment

1 3/14/18 - LABOR - BILL 180012, ETC.
2 to personally thank once again Councilmen
3 Domb, Taubenberger, Councilpersons
4 Quinones-Sanchez, Parker, and Bobby Henon
5 for sponsoring this bill. As you know,
6 this bill would increase the award
7 bestowed upon our city's heroes to
8 \$100,000.

9 I ask you, what is life worth?
10 I don't think anyone can truly answer
11 that question, because life is priceless.
12 I have been blessed with the fortune to
13 know many of these people over my 30-year
14 career in the Fire Department as I
15 ascended through the ranks to Battalion
16 Chief, a lot of the members in our
17 department who died in the line of duty.

18 Personally, my first assignment
19 as a Battalion Chief was Deputy Director
20 of Training up at the Fire Academy, and
21 our duties up there was to handle all the
22 funerals when it comes to line-of-duty
23 deaths. So I was on the funeral team for
24 12 years. So I've been through this
25 many, many times before, and I know how

1 3/14/18 - LABOR - BILL 180012, ETC.
2 it affects the families and the loved
3 ones that are left behind. That's just a
4 little personal thing that I added in
5 there.

6 The individuals that make the
7 ultimate sacrifice in the performance of
8 their duty to the fellow citizens are
9 special and are a precious gem to our
10 citizens of Philadelphia. As the City
11 and the citizens -- as a city and as a
12 citizen, I feel it is our duty as public
13 leaders to show our appreciation for
14 those heroes who sacrifice by supporting
15 their families that are left behind.

16 Once again, in my career I've
17 known dozens of firefighters who have
18 lost their lives. It never gets any
19 easier, and the sadness and uncertainty
20 that follows also presents a problem. We
21 as a city and a union are still reeling
22 from the loss of Lieutenant Matt
23 LeTourneau, who was posthumously promoted
24 to Captain in January. By supporting
25 Bill 180012, I believe that we are

1 3/14/18 - LABOR - BILL 180012, ETC.
2 showing our first responders that we
3 value their service and dedication and we
4 will be there for their loved ones should
5 something tragic befall in the line of
6 duty.

7 I appreciate your time and
8 thank Council for all your support of our
9 members.

10 Thank you.

11 COUNCILWOMAN PARKER: Thank
12 you.

13 Commissioner, it is an honor to
14 have you here, and because you've just
15 arrived, we'll just ask you to state your
16 name for the record before your
17 testimony.

18 COMMISSIONER THIEL: Thank you,
19 Councilwoman. Adam Thiel. I'm the Fire
20 Commissioner for the City of
21 Philadelphia.

22 Good morning, Chairwoman Parker
23 and members of the Committee on Labor and
24 Civil Service. I am Adam Thiel,
25 Commissioner of the Philadelphia Fire

1 3/14/18 - LABOR - BILL 180012, ETC.

2 Department. I am here today to testify
3 in support of Bill No. 180012 sponsored
4 by Councilmembers Domb, Taubenberger,
5 O'Neill, Parker, Oh, Squilla, Henon, and
6 O'Neill, which seeks to increase the
7 amount awarded to family members of
8 firefighters, police officers, and
9 prosecution detectives killed in the
10 course of performing heroic deeds.

11 The Hero Award, which currently
12 stands at \$50,000, was last increased in
13 2017. Thank you for that as well. The
14 cost of living continues to rise, and
15 Bill No. 180012 would help surviving
16 family members through a difficult
17 emotional crisis by alleviating some
18 financial concerns. The increased
19 funding would signal strong support for
20 grieving families.

21 Firefighters have been serving
22 Philadelphia for more than 280 years.
23 They risk their lives every day to
24 protect the residents of this city. When
25 they make the ultimate sacrifice, the

1 3/14/18 - LABOR - BILL 180012, ETC.

2 City should honor that loss and support
3 the family members left behind. Our
4 colleagues in law enforcement deserve the
5 same recognition.

6 Thank you for inviting me to
7 testify in support of this important
8 legislation. I would be happy to answer
9 any questions, and I also want to
10 publicly thank all of you for your
11 support during our recent loss of
12 Lieutenant, now Captain Matt LeTourneau.

13 Thank you.

14 COUNCILWOMAN PARKER: Thank
15 you. Thank you, Commissioner.

16 And thank you all so very much
17 for your testimony.

18 I want to ask is there anyone
19 else here who was interested in
20 testifying on this bill? Anyone?

21 (No response.)

22 COUNCILWOMAN PARKER: To my
23 colleagues, any comments?

24 Councilman Taubenberger.

25 COUNCILMAN TAUBENBERGER: Thank

1 3/14/18 - LABOR - BILL 180012, ETC.
2 you, Madam Chair.

3 I just want to thank you all,
4 the first panel, for your service as well
5 as your members and your fellow workers
6 both in the Police, Fire Department, and
7 first responders. I am also very
8 indebted to Councilman Domb for the
9 leadership here as well. And there's no
10 dollar amount you could ever put on a
11 human life, but in some ways this is a
12 small matter to honor in many ways a
13 horrific loss to a family. It is at
14 least something we can do, and you can
15 always continue to count on us for your
16 support -- to support your needs.

17 So thank you again and glad to
18 be voting aye on this.

19 COUNCILWOMAN PARKER: Thank
20 you.

21 Well, this concludes the public
22 hearing. We will now go into a public
23 meeting to consider the action to be
24 taken on the bill heard today.

25 With that being said, the Chair

1 3/14/18 - LABOR - BILL 180012, ETC.
2 recognizes Councilman Domb for a motion
3 on Bill No. 180012.

4 COUNCILMAN DOMB: Thank you,
5 Madam Chair. I move that Bill No. 180012
6 be reported from this Committee with a
7 favorable recommendation and further move
8 that the rules of Council be suspended to
9 permit first reading of this bill at the
10 next session of Council.

11 (Duly seconded.)

12 COUNCILWOMAN PARKER: It has
13 been moved and properly seconded that
14 Bill No. 180012 be reported from this
15 Committee with a favorable recommendation
16 and further moved that the rules of
17 Council be suspended to permit first
18 reading of this bill at the next session
19 of Council.

20 All those in favor of the
21 motion will signify by saying aye.

22 (Aye.)

23 COUNCILWOMAN PARKER: Those
24 opposed?

25 (No response.)

1 3/14/18 - LABOR - BILL 180012, ETC.

2 COUNCILWOMAN PARKER: The ayes
3 have it and the motion carries. Bill No.
4 180012 will be reported from this
5 Committee with a favorable recommendation
6 with a request that the rules of Council
7 be suspended to permit first reading at
8 the next session of Council.

9 Thank you all so very much for
10 being here.

11 (Thank you.)

12 COUNCILWOMAN PARKER: This
13 Committee shall now resume its public
14 hearing to hear testimony on Resolution
15 No. 170839.

16 The Clerk will now read the
17 title of the resolution being considered
18 today.

19 THE CLERK: Authorizing City
20 Council's Committee on Labor and Civil
21 Service to hold hearings regarding the
22 State's recent legalization of medical
23 marijuana and to address questions
24 related to medical marijuana's potential
25 impact on employers and employees in

1 3/14/18 - LABOR - BILL 180012, ETC.

2 Philadelphia.

3 COUNCILWOMAN PARKER: Before we
4 open, let me just start by saying that as
5 many of us already know, medical
6 marijuana dispensaries opened in
7 Pennsylvania in the past few months and
8 some of them in recent weeks. And while
9 there have been some initial hiccups
10 around some of the implementation, it is
11 our hope that we see more Pennsylvanians
12 benefiting from medical marijuana and are
13 being served and will be served on a
14 daily basis.

15 Before we get into the meat of
16 this hearing, I want to make clear that
17 the purpose of this hearing -- and I want
18 to make sure that we are very clear about
19 this -- the purpose of this hearing is
20 not to debate the pros and the cons of
21 medical marijuana. That conversation has
22 already taken place in the public and in
23 the General Assembly overwhelmingly. It
24 began when I was a member, was proud to
25 support it then. Instead, today's

1 3/14/18 - LABOR - BILL 180012, ETC.
2 hearing is regarding what happens after
3 the implementation of medical marijuana
4 and it's fully implemented and running in
5 our state.

6 I wanted to state for the
7 record that 29 other states, plus the
8 territories of Guam and Puerto Rico and
9 the District of Columbia, have laws
10 regulating the use of medicinal
11 marijuana. Many of these states are
12 several years into the implementation of
13 their medical marijuana legislation, and
14 during this time, there are various legal
15 questions that have been raised and some
16 of which concern the overlap of the issue
17 of medical marijuana and employment.

18 Oftentimes these legal issues
19 arise when an employer refuses to hire or
20 terminates an employee due to a positive
21 drug test, but that employee is a medical
22 marijuana user.

23 So during today's hearing, you
24 are first going to hear from our Chamber
25 of Commerce, and that is not by accident.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 I want to state for the public record
3 that I have been very clear regarding
4 this hearing that it would be my hope
5 that the public sector would help to lead
6 in this effort in developing any
7 potential legislative prescriptions to
8 address this issue relative to employers
9 and employment and that we work hand in
10 hand with the private sector, along with
11 government, to make those things happen.

12 We are then going to hear from
13 representatives from our City's Human
14 Resources Office and the Human Relations
15 Commission. The Office of Risk
16 Management is also here if any relevant
17 questions arise.

18 I also want to note that for
19 this information session and I want you
20 to just charge it to my head and not my
21 heart if I screw up your last name,
22 George. George Voegele --

23 MR. VOEGELE: Voegele.

24 COUNCILWOMAN PARKER: -- of
25 Cozen O'Connor is present today. He will

1 3/14/18 - LABOR - BILL 180012, ETC.

2 be presenting along with Josh Horn, and
3 they will literally get into the
4 nitty-gritty details about the Medical
5 Marijuana Act and its legal implications.

6 We will hear from Dr. Richard
7 Cohn, a forensic toxicologist, who is
8 frequently called as an expert witness in
9 court.

10 Samantha, thank you for making
11 sure he got here today.

12 Rounding out the hearing, we'll
13 be hearing from our District Attorney's
14 Office as well as a representative from
15 organized labor, which is extremely
16 important, on the law's potential impact
17 on workers in the City.

18 Our goal for this hearing is to
19 understand the full implications of the
20 Medical Marijuana Act on employers and
21 employees in the City of Philadelphia.
22 In addition, we want to explore what the
23 City can do to protect employees
24 throughout Philadelphia from being
25 wrongfully terminated if they are medical

1 3/14/18 - LABOR - BILL 180012, ETC.
2 marijuana patients. We may determine
3 that our best course of action is to make
4 an ask of the State of Pennsylvania, our
5 General Assembly, to further improve the
6 Medical Marijuana Act, but if there is
7 anything that this body, the City Council
8 of Philadelphia, or our District
9 Attorney's Office can do to protect
10 employees, the goal of this hearing is
11 for us to become informed today and for
12 us to act from a position of information
13 based on human resource professionals,
14 those from the legal industry, along with
15 government.

16 So I want to thank you all so
17 very much for being here, and will the
18 Clerk please call up the first panel.

19 THE CLERK: Yvette Nunez, Pedro
20 Rodriguez, and Rue Landau.

21 (Witnesses approached witness
22 table.)

23 COUNCILWOMAN PARKER: Excuse
24 me. Before the panel begins, let me note
25 that Vice Chair, Councilman O'Neill, has

1 3/14/18 - LABOR - BILL 180012, ETC.
2 arrived.

3 And, Councilman O'Neill, we
4 want to thank you, along with
5 Councilwoman Helen Gym, and want to ask
6 if either of you have any comments.
7 Although we have started the hearing on
8 the testimony for the resolution, if you
9 wanted to make any comments about the
10 prior bill that was recently passed from
11 Committee relevant to the Heroes Award,
12 please feel free to do so.

13 COUNCILMAN O'NEILL: Just that
14 I'm in favor of any increase we can
15 possibly do. It really is in the highest
16 amount in my mind for what that bill
17 stands for.

18 Thank you.

19 COUNCILWOMAN PARKER:
20 Councilwoman Gym.

21 COUNCILWOMAN GYM: Yes. Also
22 expressing my significant support for the
23 Awards and thanking the bill sponsor and
24 this Committee for moving it forward.

25 COUNCILWOMAN PARKER: Thank

1 3/14/18 - LABOR - BILL 180012, ETC.

2 you. Thank you.

3 Please, as you begin your
4 testimony, state your name and identify
5 yourself for the record.

6 MS. NUNEZ: Good morning,
7 Chairwoman Parker and members of the
8 Committee. My name is Yvette Nunez. I
9 am Vice President of Civic Affairs for
10 the Chamber of Commerce for Greater
11 Philadelphia. I'm here this morning to
12 read formally into the record a letter
13 that we shared with the Chairwoman and
14 can make available to members of the
15 Committee as needed. I do ask that you
16 excuse me, as I have to leave after
17 submitting this testimony, but am
18 available at your convenience should you
19 have any questions or follow-up.

20 On behalf of the Chamber of
21 Commerce for Greater Philadelphia, I am
22 pleased to provide information regarding
23 the effects of the law allowing for
24 medicinal marijuana dispensaries in the
25 Commonwealth of Pennsylvania.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 While the Chamber did not take
3 a position on the legislation, following
4 the law's passage, we did hold a workshop
5 for human resource professionals to
6 discuss the law and its effect on
7 employers and employees. Since the
8 federal government still considers
9 marijuana a Schedule I substance, there
10 was concern expressed by the program
11 participants about the ramifications of
12 not complying with federal law. We can
13 also offer that there was concern
14 expressed about drug use policies and
15 substance use for employees in critical
16 positions or jobs that require the use of
17 machinery or vehicles.

18 As the effects of this
19 legislation are felt amongst the employer
20 community, we will continue to monitor
21 the reactions and concerns of our members
22 and share those with this Committee.

23 Thank you.

24 COUNCILWOMAN PARKER: Thank
25 you.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 MR. RODRIGUEZ: Good morning,
3 Chairwoman Parker.

4 COUNCILWOMAN PARKER: I'm
5 sorry. One second.

6 We know that the Chamber,
7 Yvette, has to leave, but before she
8 leaves, if there were any questions that
9 you wanted to ask of her.

10 (No response.)

11 COUNCILWOMAN PARKER: Okay.

12 Yvette, thank you so much.

13 Just wanted to make sure we did that for
14 the record.

15 MR. RODRIGUEZ: Thank you.

16 Thank you again. Good morning. My name
17 is Pedro Rodriguez. I'm the Director of
18 the Office of Human Resources for the
19 City of Philadelphia. I'm pleased to
20 provide testimony on Resolution No.

21 170839 regarding the recent legalization
22 of medical marijuana in Pennsylvania and
23 its potential impact on employment
24 matters for workers and employers in the
25 City of Philadelphia. I will limit my

1 3/14/18 - LABOR - BILL 180012, ETC.
2 remarks to the considerations of the
3 potential impact on our City workforce
4 and operations of City departments.

5 Almost a year ago, the
6 Pennsylvania legislature joined 25 other
7 states and the District of Columbia in
8 legalizing the medicinal use of
9 marijuana. While other states, most
10 notably Colorado, California, Alaska, and
11 Oregon, have also legalized the
12 recreational use of marijuana, the use of
13 marijuana in any form is still prohibited
14 under federal statutes.

15 Due to this fact, conflict
16 between state and federal laws with
17 respect to employment matters has already
18 occurred and will continue until federal
19 courts decide cases or Congress changes
20 the law. The challenge for us as
21 employer is how to balance the medical
22 needs of our workers, as stated by the
23 Pennsylvania's Medical Marijuana Act,
24 with the constraints of federal law and
25 policy. While Pennsylvania's medical

1 3/14/18 - LABOR - BILL 180012, ETC.
2 marijuana bill states that, quote, "No
3 employer may discharge, threaten, refuse
4 to hire or otherwise discriminate or
5 retaliate against an employee regarding
6 employer's compensation, terms,
7 conditions, location or privileges solely
8 on the basis of such employee's status as
9 an individual who is certified to use
10 medical marijuana," it is also silent on
11 federal law requirements.

12 Two federal laws with which the
13 City of Philadelphia must comply with are
14 the Drug-Free Workplace Act of 1988 and
15 the Omnibus Transportation Act of 1991.
16 The Drug-Free Workplace Act requires that
17 all federal grant recipients and federal
18 contractors adopt a zero-tolerance policy
19 in their workplace and certify to the
20 federal government that their workplaces
21 are drug free. The Act also requires
22 that covered entities make an ongoing
23 good-faith effort to maintain a drug-free
24 workplace by doing such things like
25 educating their employees on the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 employer's workplace drug policy and
3 notifying employees of all penalties that
4 may result for drug use violations. The
5 Act does not, however, require that
6 employers conduct mandatory drug tests.

7 It should also be noted that
8 even if an employer is not required to
9 comply with the Act, employers can still
10 institute a zero-tolerance policy for
11 those workers in, quote,
12 "safety-sensitive" positions. A
13 safety-sensitive position generally is
14 one in which an employee is responsible
15 for the safety of herself or himself or
16 others. Example of positions that would
17 be considered safety-sensitive are those
18 that involve driving or the use of
19 machinery or public safety, among many
20 others.

21 Additionally, the Omnibus
22 Transportation Employee Safety Act
23 requires that all employers drug test
24 employees whose duties require a
25 commercial drivers license, or CDL.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 Consistent with federal laws,
3 the City drug and alcohol policy, which
4 applies to all non-uniform employees,
5 prohibits the possession, manufacture,
6 transfer, distribution, dispensing, sale
7 or use of prohibited substances or
8 alcoholic beverages while on City
9 premises, during work hours or while
10 operating a City-owned or leased vehicle
11 or a personal vehicle when conducting
12 City business. This policy was
13 negotiated with both AFSCME District
14 Council 47 and District Council 33 and is
15 part of the collective bargaining
16 agreement the City has with both unions.

17 The City's policy requires
18 employees to disclose if they are
19 prescribed medications that might alter
20 their psychomotor skills or ability to
21 function and they may not operate
22 machinery or motor vehicles while taking
23 these types of prescribed medications.

24 Pennsylvania's Medical
25 Marijuana Act does give the employer the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 authority to determine the types of tasks
3 an employee should not be permitted to
4 perform while being prescribed medical
5 marijuana. And in this way, it's
6 consistent with the City's drug and
7 alcohol policy.

8 For example, the City has
9 identified several non-uniform titles
10 that require drug testing and the City's
11 policy also requires that all non-CDL
12 title employees participating in a drug
13 and alcohol treatment program due to
14 disciplinary actions be subject to random
15 testing.

16 It is also important to note
17 that Pennsylvania's Medical Marijuana Act
18 does not require that an employer make an
19 accommodation for the use of medical
20 marijuana on, quote, "the property or
21 premises of any place of employment,"
22 unquote. However, recently the
23 Massachusetts Supreme Court found that an
24 employer does have a duty to accommodate
25 an employee's use of medical marijuana,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 and this is the first state court that
3 has ruled in such a favor. Most other
4 courts in Oregon and California has done
5 otherwise and sustained the federal law.

6 As you can see, balancing
7 federal and state law with the medical
8 needs of our employees is not easy, but
9 we welcome the opportunity to be part of
10 this important conversation. Our hope is
11 that constructive dialogue will lead to
12 policies that safeguard the rights of our
13 employees to receive the best possible
14 course of medical treatment, as
15 determined by a licensed physician or
16 medical provider, and the City's
17 responsibility to comply with federal law
18 and to maintain the general safety of our
19 workers and the public we serve.

20 Thank you for this opportunity.
21 I am happy to answer any questions for
22 the Committee.

23 COUNCILWOMAN PARKER: Thank you
24 for your testimony.

25 Let me just note for the record

1 3/14/18 - LABOR - BILL 180012, ETC.
2 that for all of the panels who will be
3 testifying, we do have an actual copy of
4 your testimony. If you decide that you
5 want to summarize your testimony, I want
6 you to feel free to do so. I do know
7 when you're acknowledging sort of legal
8 acts, you want to make sure that you get
9 those facts accurate and entered into the
10 record. We will make sure all of the
11 testimony is included. And we may be
12 asking after the Human Relations -- the
13 Commission on Human Relations testify, we
14 may be asking our next panel to scoot up,
15 because I'm sure questions that may be
16 posed to this panel, you can also be of
17 assistance to us all.

18 Thank you. Please proceed.

19 MS. LANDAU: Great. Thank you.
20 Thank you, Chairperson Parker and members
21 of the Labor and Service Committee for
22 giving me the opportunity to testify on
23 Resolution No. 170839 to examine medical
24 marijuana's impact on employers and
25 employees in Philadelphia. I am Rue

1 3/14/18 - LABOR - BILL 180012, ETC.
2 Landau, Executive Director of the
3 Philadelphia Commission on Human
4 Relations, the agency that enforces our
5 city's civil rights laws, particularly
6 the Fair Practices Ordinance, Chapter
7 9-1100 of The Philadelphia Code.

8 On April 17, 2016, Governor Tom
9 Wolf signed the Medical Marijuana Act,
10 which allows for the use of medical
11 marijuana for certain prescribed
12 conditions in Pennsylvania. Depending on
13 the health condition and its effects, a
14 certified medical marijuana user may fall
15 within the protected category of a person
16 with a disability under federal and
17 local -- state and local law. In that
18 instance, it is essential that the
19 employee establish and document their
20 medical condition as a disability.

21 The law governing this new area
22 is complicated. Under the Pennsylvania
23 MMA, marijuana is not an illegal
24 substance when the individual is
25 certified for medical marijuana use and

1 3/14/18 - LABOR - BILL 180012, ETC.
2 the drug is taken under the supervision
3 and care of a licensed healthcare
4 professional. However, under federal
5 law, under the Controlled Substances Act,
6 it categorizes marijuana as a Schedule I
7 drug and considered as a drug with a high
8 potential for abuse and no medical use.
9 State marijuana laws vary. Currently 29
10 states and Washington, DC have enacted
11 legislation in regulating some form of
12 medical marijuana use.

13 Within this conflicted legal
14 environment, employers and employees
15 retain their rights and responsibilities
16 under other federal legislation,
17 including the Americans with Disabilities
18 Act, the Family Medical Leave Act, as
19 well as the State Human Relations Act and
20 the City's Fair Practices Ordinance.

21 Even within the Pennsylvania
22 MMA, many rights and responsibilities
23 contrast. The law, as Pedro already
24 indicated, contains specific
25 anti-discrimination provisions for the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 workplace; namely, that an employer may
3 not terminate, threaten, refuse to hire
4 or otherwise discriminate against an
5 employee solely on the basis of the
6 employee's status as a certified user of
7 medical marijuana. But at the same time,
8 it does require an employer to make
9 accommodations for the use of medical
10 marijuana while the employee is working,
11 especially when the use is in violation
12 of federal laws such as Department of
13 Transportation regulations. In addition,
14 an employer may discipline an employee
15 for being under the influence of medical
16 marijuana or if the employee's conduct
17 falls below normally accepted standards
18 for the position.

19 While there have been some
20 federal court decisions on the topic,
21 none have been of precedential value. To
22 date, no federal court has determined
23 there is a duty to accommodate medical
24 marijuana users under the Americans with
25 Disabilities Act. In fact, multiple

1 3/14/18 - LABOR - BILL 180012, ETC.
2 cases have been decided in support of the
3 employer's rights under the ADA.
4 However, again, as Pedro noted, in July
5 of 2017, in the first-of-its-kind ruling,
6 the Massachusetts state Supreme Court
7 decided a case in favor of an employee
8 who was fired after testing positive for
9 marijuana when she used the drug
10 medicinally to offset the painful effects
11 of her disability.

12 The new reality of legal
13 marijuana will continue to challenge
14 employer drug testing and performance
15 policies. While the employer has the
16 right to do so, the termination of an
17 employee for failing mandatory drug
18 testing effectively denies the employee
19 with a disability the opportunity of a
20 reasonable accommodation and, therefore,
21 could be considered disability
22 discrimination.

23 In Philadelphia, where legally
24 sufficient, we will accept and
25 investigate these cases under Section

1 3/14/18 - LABOR - BILL 180012, ETC.
2 9-1103 of the Fair Practices Ordinance as
3 cases of alleged disability
4 discrimination. In the meantime, we
5 await regulations from the Pennsylvania
6 Department of Health, which they were
7 obligated to have promulgated within 18
8 months of the law, but have not happened
9 yet.

10 Thank you for the opportunity
11 to testify, and I'm happy to answer any
12 questions.

13 COUNCILWOMAN PARKER: Thank you
14 both for your testimony.

15 I am now going to ask George,
16 Joshua, and Dr. Cohn to come forward and
17 just join the panel. Don't move, you
18 guys. I want them just at the table.
19 While their panel has not officially and
20 formally started, I wanted them here just
21 in case when Committee members are asking
22 questions that they could all be helpful.

23 I am just going to start with
24 one in particular to ask. One, is there
25 precedence in any of the other states

1 3/14/18 - LABOR - BILL 180012, ETC.
2 that have legalized medical marijuana --
3 I don't want to talk about the
4 recreational use, just what we have
5 established here in Pennsylvania. Is
6 there a precedent for a Human Relations
7 Commission and/or the HR department for a
8 municipality to develop some sort of the
9 do's and don'ts, a fact sheet regarding
10 medical marijuana use and employees? Is
11 there precedent for that? Is that
12 something that you have considered
13 developing? Because from my perspective
14 and very practically, when I think about
15 City employees and, quite frankly, other
16 employees, I'm thinking about home health
17 aide workers in the City of Philadelphia,
18 security officers, and particularly many
19 of the lower wage workers. If there is a
20 guide, right, that simply gives you a
21 checklist of what you can or what is
22 recommended that you can and can't do,
23 then that provides some guidance.
24 Is that a direction that you're
25 moving in? Legally would the City

1 3/14/18 - LABOR - BILL 180012, ETC.
2 because of liability be sort of counseled
3 by its Law Department to not do that
4 because of a fear of liability? Tell me
5 what our thinking is regarding that
6 issue.

7 MR. HORN: Thank you,
8 Chairwoman. Joshua Horn from the law
9 firm of Fox Rothschild. Just for the
10 record, I co-chair our Cannabis Law
11 Practice Group. I also chair the
12 subcommittee of the Philadelphia Bar on
13 the Employment Law section under the
14 Medical Marijuana and Hemp Law section in
15 the Philadelphia Bar.

16 So there's not a lot of
17 precedent, but there is a handful --
18 there are a handful of cases that have
19 dealt with this, and actually the most
20 recent case, which is probably the
21 closest to what we have here in the
22 Commonwealth of Pennsylvania, is a case
23 out of Rhode Island, which was decided in
24 May of this past year, and the important
25 thing there is the court in Rhode Island

1 3/14/18 - LABOR - BILL 180012, ETC.
2 said that the federal law did not preempt
3 Rhode Island's medical marijuana statute
4 and that the employer's discharge of
5 employee for her medical marijuana use
6 was a violation of the state's medical
7 marijuana law and the state's civil
8 rights statute. And the important thing
9 about that case -- that case is called
10 Callaghan, C-A-L-L-A-G-H-A-N, versus
11 Darlington Fabrics, and the key thing to
12 take away for this panel from that case
13 is that the anti-discrimination provision
14 in the Rhode Island statute mirrored the
15 anti-discrimination provision that's in
16 the Pennsylvania Medical Marijuana Act,
17 and that's the closest at least from our
18 context of what we've seen.

19 There's another case from
20 August of 2017 decided actually by a
21 federal court in Connecticut, and that's
22 Noffsinger, which is N-O-F-F-S-I-N-G-E-R,
23 versus SSC Naintic, N-A-I-N-T-I-C,
24 Operating, and the significant part about
25 that case is, there is -- a job offer was

1 3/14/18 - LABOR - BILL 180012, ETC.
2 withdrawn after the candidate tested
3 positive for marijuana, but a district
4 court, importantly, in that case held
5 that the federal Controlled Substances
6 Act and the ADA did not preempt
7 enforcement of Connecticut's state
8 marijuana law and so, therefore, the
9 dismissal was improper under the state
10 medical marijuana statute.

11 So those are probably the two
12 most recent cases that have dealt with
13 it. George may have some more to add to
14 that, but there's not a checklist that I
15 think that we see.

16 MR. VOEGELE: Council, thank
17 you very much again for the opportunity
18 to testify here today.

19 Most, if not exclusively, the
20 legislation and activity on this has been
21 on the federal level -- I'm sorry; on the
22 state level, and there has been very
23 little in terms of city ordinances or
24 city regulations in this area. It's such
25 a rapidly evolving area, I don't need to

1 3/14/18 - LABOR - BILL 180012, ETC.
2 tell all of you that five or ten years
3 ago if you told me we'd be sitting here
4 talking about this, I would have not
5 believed it. The area has evolved so
6 rapidly.

7 So I think many cities across
8 the country are grappling with this in
9 light of their state legislature's
10 efforts to move forward and legalize
11 medical marijuana regimes.

12 So I'm not familiar with any
13 particular cities that have really gone
14 out and provided detailed ordinances or
15 detailed regulations as of yet for their
16 employees. At this point, we're still
17 waiting for the state to give us its
18 regulations, after which I think we'll be
19 in a better position to determine what
20 regulation may be appropriate at the
21 local level.

22 MR. RODRIGUEZ: If I may add, I
23 mean, currently we will bring the
24 individual under our current drug and
25 alcohol policy, because it addresses --

1 3/14/18 - LABOR - BILL 180012, ETC.
2 did not foresee medical marijuana
3 specifically. It does say that if an
4 individual is prescribed marijuana, it
5 depends on the title that the person
6 holds in the City. That person will
7 approach the Human Resource Office in
8 that department or the ADA person and ask
9 for accommodation while it's being used.

10 Having said that, it depends on
11 what the title is. If you work in the
12 airport, it's a problem, because the
13 federal laws and policy trumps anything
14 else that we can do here.

15 It's also interesting to note
16 that the Pennsylvania statute, unlike
17 places like Oregon or California --
18 California was a referendum that was
19 passed to legalize medical marijuana, and
20 when individuals were dismissed for
21 employment because having been found
22 positive for marijuana, the state court
23 in California said that in order to not
24 intend to interfere with employment law,
25 therefore, the dismissal was upheld. And

1 3/14/18 - LABOR - BILL 180012, ETC.
2 the similar case in Oregon happened too.
3 And we're getting now conflicting results
4 from different state courts around the
5 country. So unless Congress acts, it
6 will probably end up in the Supreme Court
7 to make the final determination.

8 COUNCILWOMAN PARKER: So let me
9 just state for the record that I know and
10 often had some banter with electeds in
11 other regions, that they don't believe
12 that Philadelphia is usually on the
13 cutting edge of most, but I firmly
14 disagree and I'm sure all of my
15 colleagues would too. But I would like
16 to ask Mrs. Landau particularly for the
17 Commission on Human Relations if we will
18 consider, we, Commission on Human
19 Relations, along with the City of
20 Philadelphia, while the state law is
21 continuing, state regs continuing to
22 unfold -- and I just read an article that
23 the discussion relative to the
24 legalization of the recreational use of
25 medical marijuana is being recommended by

1 3/14/18 - LABOR - BILL 180012, ETC.
2 a committee in Harrisburg, and I
3 understand is being given serious
4 consideration as they move forward. I
5 would ask that from a civil rights
6 perspective that we get brain trust from
7 our Chamber, from our legal community,
8 the Bar Association, the Barristers
9 Association. I know we're going to hear
10 more when we hear from the District
11 Attorney's Office, but that Philadelphia,
12 to the best of its ability, attempt to
13 take a proactive role in -- even if they
14 can't be considered formal
15 recommendations that are legally binding,
16 come up with some sort of rubric that we
17 can provide, not just to the City of
18 Philadelphia's employees but to residents
19 who are even employed in the private
20 sector.

21 Again, I want to just --
22 because someone will leave here today
23 saying that the City of Philadelphia is
24 about to work on developing regulations
25 for the use of medical marijuana. That

1 3/14/18 - LABOR - BILL 180012, ETC.

2 is not what I am saying. We are just
3 talking about some sort of guide that we
4 can proactively publicize, like a public
5 service announcement or advisory for
6 workers in the City of Philadelphia.

7 And for all of the members of
8 Council who are here, I know each and
9 every one of us at different times can
10 acknowledge having received a call from a
11 constituent, who they don't have to be
12 employed by the City of Philadelphia but
13 in the private sector, who was
14 terminated, who did not get selected for
15 a job and they call you as an elected
16 official saying, is there anything that
17 you can do to help. And we want to be
18 able to say that our guidance from a
19 proactive perspective is being shepherded
20 by not just state government, because
21 sometimes we can get it wrong, and local
22 government can too, but the private
23 sector, the legal community, along with
24 human resource agencies and civil rights
25 agencies across the board.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 So if that's something that you
3 could go back and maybe convene --

4 MS. LANDAU: Absolutely.

5 COUNCILWOMAN PARKER: -- a
6 group on from a civil rights perspective,
7 that would be helpful.

8 MS. LANDAU: Absolutely. And
9 for us it's all about the underlying
10 disability and what somebody needs to
11 take or to do in order to accommodate
12 that disability.

13 Just as an aside, personal
14 note, my father has significant
15 disabilities, and we just recently
16 started giving him hemp oil. It has
17 reduced his anxiety and reduced some of
18 the pain associated with his
19 disabilities. It's made a significant
20 change. He's just happier every day.
21 Obviously too old to work and also not
22 fit to work, but you would just hope that
23 the slight changes that happen with him,
24 if that happens to just some other
25 employee who has to overcome a disability

1 3/14/18 - LABOR - BILL 180012, ETC.
2 and go to work every day -- it does not
3 produce the high. It's not making
4 somebody fully impaired. It's just
5 offsetting some of the conditions that
6 people are facing in order to get them to
7 go to work every day and to make a living
8 for themselves and their families.

9 COUNCILWOMAN PARKER: Well,
10 we're going to hear from Councilman
11 O'Neill, but I just want you to note that
12 your public testimony relative to your
13 personal experience with your father is
14 the perfect example about why some
15 guidance for the public is necessary,
16 because there is someone who is listening
17 to this testimony who appreciates what
18 you just said, but they said, her
19 perspective is subjective, right? That's
20 her perspective. That's why it is -- I
21 think it is so important that we be
22 guided, right, in a very structured and
23 formalized way, and I appreciate your
24 sharing that.

25 The Chair recognizes Councilman

1 3/14/18 - LABOR - BILL 180012, ETC.

2 O'Neill.

3 COUNCILMAN O'NEILL: Thank you,
4 Madam Chair.

5 I think the best thing we can
6 do from a City standpoint, raising the
7 issue today through this resolution, but
8 since the state hasn't passed
9 regulations, is weigh in on commenting on
10 what you would like to see, what you hope
11 to see, not just human relations, not
12 just personnel, human services, but the
13 Bar Association that has a chapter on
14 this and anybody else, the DA's Office
15 to -- I mean, we're the big dog in the
16 state. We have more apparatus than
17 anyone else, and if the state is still
18 mulling over regulations, it might be
19 good to share experiences, learning with
20 them.

21 Unfortunately, it was raised
22 that the federal government could make
23 this a lot easier, but they can't agree
24 that it's Wednesday. Okay? And at least
25 the state, while it may not be the most

1 3/14/18 - LABOR - BILL 180012, ETC.
2 effective state legislature, it really
3 shines in comparison to our federal
4 Congress. So there is a chance there.
5 And it looks like what we're hearing is
6 it's going to come down to finding ways
7 in this period where the federal
8 government is saying one thing and kind
9 of leaving the states alone, I think
10 courts are going to bend over to find
11 reasons to side with the patient in these
12 cases, and that would be enforcing the
13 state regulations and the state law and
14 kind of just letting the -- finding
15 reasons not to pull down the sledge
16 hammer of some federal statutes that
17 haven't been enforced for a long time.

18 Thank you.

19 COUNCILWOMAN PARKER: Thank
20 you, Councilman O'Neill.

21 Councilman Henon.

22 COUNCILMAN HENON: Thank you,
23 Madam Chair, and I want to thank you for
24 bringing this attention to the general
25 public with this resolution, because I

1 3/14/18 - LABOR - BILL 180012, ETC.
2 think it is important through the
3 testimony that we've heard here today and
4 through the constituencies that we all
5 represent as a policymaking body that
6 regulations and the way we have to
7 determine ourselves, as the Councilman
8 was just alluding to, when the federal
9 government is not making those tough
10 decisions and there's a lot of gray area
11 when it comes to regulations, that we do
12 keep in mind, first and foremost, the
13 patients and its intent, but unintended
14 consequences on the workers and the
15 workers' rights of the Commonwealth.

16 You've heard from the Chamber.
17 You're hearing from HR in the City of
18 Philadelphia and Councilmembers, but
19 there are workers who are protected by
20 collective bargaining agreements, things
21 that need to be negotiated, things
22 that -- policies that are in place with
23 drug testing currently and how this
24 interacts and blends.

25 So now is the time to actually

1 3/14/18 - LABOR - BILL 180012, ETC.
2 bring these conversations to light when
3 the regulations are being formatted and
4 how it's going to be implemented and
5 enforced, because it could have a
6 critical unintended consequence on
7 workers just going to work every day who
8 are receiving treatments that have
9 another option in front of them, but they
10 chose to -- chose for themselves between
11 patient and doctor privilege.

12 So I thank you for that, and I
13 urge that we figure out ways to convey to
14 the Commonwealth for these regulations
15 for our own municipality and the people
16 that we represent.

17 So thank you.

18 COUNCILWOMAN PARKER: Thank
19 you, Councilman Henon.

20 Councilwoman Gym.

21 COUNCILWOMAN GYM: Yes. Thank
22 you very much, Madam Chair, for this
23 important hearing. I think that I'm
24 going to echo the comments of my
25 colleagues earlier, but I also want to

1 3/14/18 - LABOR - BILL 180012, ETC.

2 thank all the panelists. I think that it
3 is very true that five years ago in terms
4 of employment law, it would be hard to
5 imagine that we're in a state where we
6 can talk about legalized marijuana and
7 also how it has assisted people working
8 today and dealing with different
9 illnesses as well as disabilities in the
10 workplace.

11 I mean, one of the things that
12 I think is important at this time is that
13 it is really -- I think a lot of this is
14 going to -- rather than look at this
15 issue right now as just sort of legal
16 wrangling between state, municipal, and
17 federal authorities, a lot of the time
18 that we've got right now is to educate
19 our employers and our employees about the
20 issues that are before us.

21 We worked a long time in the
22 City of Philadelphia to get into an
23 attitude of like decriminalization around
24 health issues in particular, and
25 employers and employees understanding

1 3/14/18 - LABOR - BILL 180012, ETC.
2 that health issues ought not to be
3 criminalized, that people need supports
4 and how to help people work, become their
5 most full self by being able to work in
6 the workplace no matter their particular
7 situation's abilities, to recognize that
8 people can manage illnesses and different
9 abilities in the workplaces is a really
10 key factor.

11 I also want to echo the
12 Chairwoman in saying that this is a
13 particularly important time for us to
14 highlight and emphasize the Fair
15 Practices Ordinance, to emphasize civil
16 rights and liberties, to understand the
17 role of, in particular, disability
18 rights, healthcare needs, mental health
19 supports particularly in the workplace.
20 I think it's an extremely opportune
21 moment to really exercise on that,
22 because people are looking for answers.
23 They want to understand boundaries, but
24 there's also growing awareness that you
25 can't just take a blanket approach right

1 3/14/18 - LABOR - BILL 180012, ETC.
2 now. There are complications around how
3 we are looking at particular controlled
4 substances. And it's also really
5 important for us just to keep on the
6 issue of diversity in the workplace and
7 particularly people being able to manage
8 and work at their fullest capacity while
9 they're dealing with assorted issues that
10 are very prevalent across the City of
11 Philadelphia and across the nation. So I
12 want to thank you for that.

13 COUNCILWOMAN PARKER: Sure.

14 Thank you.

15 Let me also, one, I want to
16 thank the first panel for their
17 testimony, and I do want to note for the
18 record that the difference in federal law
19 versus state law as it relates to this
20 issue is very obvious to us all, right?
21 But we are also fully aware of the
22 federal government's verbal, because we
23 haven't seen much formal action relative
24 to rolling back some considerations that
25 were allowed to states, that although the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 federal classification of the drug had
3 not formally changed considerations that
4 were allowed under the past presidential
5 administration, we did hear some
6 comments, read some articles, statements
7 that were made by our Attorney General
8 relative to this issue. And so while we
9 know we're waiting for clarification from
10 state law and the Commonwealth is mulling
11 how as it moves further to address this
12 issue and, as Councilman O'Neill I think
13 aptly stated, we wait to see if the
14 federal government can actually get it
15 right, the fact of the matter is is that
16 it is legal here in the Commonwealth of
17 Pennsylvania, and as Councilman O'Neill
18 stated, we are the big dogs with a
19 population that has a highly concentrated
20 constituency attempting to seek the
21 benefits that you so aptly describe that
22 your father receives from the medicinal
23 use of medical marijuana. And so that is
24 the reason why we thought it was
25 extremely important to bring up this

1 3/14/18 - LABOR - BILL 180012, ETC.
2 conversation about the unintended
3 consequences of what we think was a move
4 in the right direction.

5 So I want to thank each and
6 every one of you for testimony, ask that
7 the second panel just sort of move in so
8 you can provide your testimony. And we
9 are also, in a very unconventional way,
10 because we think that the second panel --
11 the third panel may be able to add value
12 if this panel is offered any questions,
13 so we're also going to, as George and
14 Joshua and Dr. Cohn take their seats,
15 we're going to ask Mike Lee, who is the
16 Assistant District Attorney and Interim
17 Director of Legislation and Government
18 Affairs for the Philadelphia District
19 Attorney's Office, to also please come
20 forward. And Samira Harris, who is an
21 ICU nurse at Einstein Hospital and a
22 Board member for the Pennsylvania
23 Association for Staff Nurses and Allied
24 Professions, if she would also come up.

25 And, gentlemen, if you can now

1 3/14/18 - LABOR - BILL 180012, ETC.

2 just formally identify yourselves for the
3 record as the second panel.

4 (Witnesses approached witness
5 table.)

6 DR. COHN: Richard Cohn. I'm a
7 forensic toxicologist with DrugScan
8 Incorporated.

9 MR. HORN: Joshua Horn, a
10 partner at Fox Rothschild here in
11 Philadelphia and chair of our Cannabis
12 Law Practice Group.

13 MR. VOEGELE: George Voegele
14 from Cozen O'Connor, also a member of our
15 firm's Cannabis Practice Law Group.

16 COUNCILWOMAN PARKER: We want
17 to ask our two attorneys if you two can
18 begin testimony first. And I guess we'll
19 be turning our attention to the screen.

20 MR. HORN: Yes. We were good
21 enough to give the Committee a
22 PowerPoint, which we're going to go
23 through rather quickly. We'll highlight
24 some of the main points.

25 I think, Chairwoman Parker, you

1 3/14/18 - LABOR - BILL 180012, ETC.
2 really hit the nail on the head. You
3 have a lot of uncertainty at the federal
4 level. I think the analysis is to start
5 with the understanding that the
6 Controlled Substances Act still
7 characterizes cannabis as a Schedule I
8 substance, which means, paraphrase, that
9 it has no viable purpose and is highly
10 addictive or subject to abuse.

11 But, however, the important
12 thing to understand is, ever since
13 California went medical in the mid '90s,
14 the federal government has taken a more
15 or less hands-off approach. And in 2014,
16 during the Obama Administration, there
17 were a series of memoranda that were put
18 together by Assistant U.S. Attorney James
19 Cole, which were subsequently known as
20 the Cole Memoranda. And the Cole
21 Memoranda basically said as follows: We,
22 Department of Justice, are not making it
23 a priority to prosecute any of these or
24 people in the medical marijuana space, as
25 long as they are doing it pursuant to the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 state-regulated program. And there were
3 some exceptions, but -- so that's the
4 universe that we've been living under.
5 That's the universe where all these
6 states have come forward and changed
7 their laws. And now in January 4 of this
8 year, Attorney General Sessions ripped
9 that up.

10 And so there was a hue and cry
11 that the sky is falling for medical
12 marijuana, and here Pennsylvania wasn't
13 even live, so to speak, at that point.
14 And our analysis is that really you have
15 to understand that the Cole Memo was only
16 a policy statement. It was not a rule of
17 law. It was not an act of Congress. And
18 by Attorney General Sessions ripping it
19 up, all he's basically saying is not a
20 priority to -- the priority not to
21 prosecute is no longer there, but that
22 doesn't mean they can prosecute and
23 here's why: There's no money. The
24 federal government since 2014, there's
25 been a series of amendments to the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 spending bill, originally known as the
3 Rohrabacher-Farr Amendment. Mr. Farr has
4 subsequently retired, so now it's
5 Rohrabacher-Blumenauer. Basically what
6 that says is, the federal government is
7 not going to fund the Department of
8 Justice to prosecute state-regulated
9 medical marijuana programs.

10 So that's really kind of the
11 federal overlay that you have. It is a
12 little bit murky, but until there's money
13 for the Department of Justice to
14 prosecute, it's not going anywhere. And
15 notwithstanding the current budget
16 battles that we've been seeing on the
17 federal level, this has always still
18 remained.

19 But with that being said,
20 there's still an issue if someone is
21 subject to federal laws, which George
22 will touch on in more detail, such as the
23 ADA Department of Transportation or
24 Drug-Free Workplace Act. You still have
25 those issues that you have to deal with

1 3/14/18 - LABOR - BILL 180012, ETC.
2 notwithstanding the state laws on the
3 subject.

4 So just to kind of go over some
5 additional things. So there are nine
6 states that have a recreational program,
7 and subsequent to the creation of this
8 slide in the last eight weeks, both
9 Vermont and New Hampshire which
10 legislatively approved recreational
11 marijuana or adult use marijuana. They
12 don't have regulations in place, but it
13 certainly shows the trend that we're
14 dealing with, that this is not going
15 away.

16 And then here are the 29
17 states. We don't have Puerto Rico or
18 Guam on here, but that have a medical
19 marijuana program. And even if you think
20 about some of the states who are thinking
21 about coming online, you have Utah, which
22 is one of -- maybe one of the next states
23 to come online. So not exactly the
24 bastion of liberalism, but I think it's
25 important that there is a recognition on

1 3/14/18 - LABOR - BILL 180012, ETC.
2 a national basis that there are people
3 out there who will get a benefit from
4 medical marijuana. And statistics show
5 that 94 percent of people in this country
6 support medical marijuana. And so
7 notwithstanding the uncertainty of the
8 federal government, I don't think that we
9 have to be concerned that anything is
10 going to happen to our program any time
11 soon.

12 So let's talk about what you
13 have to do in Pennsylvania. First of
14 all, to get a medical marijuana card, you
15 have to be under the care of a physician
16 who's registered through the Department
17 of Health, and that physician has to have
18 completed a training program through the
19 Department of Health.

20 The physician then must certify
21 the patient as having one or more of the
22 17 serious medical conditions for which
23 he can get medical marijuana. And that
24 is then certified into the system so the
25 state knows it through a computer system

1 3/14/18 - LABOR - BILL 180012, ETC.

2 that is in place.

3 Next, the patient has to apply
4 to get an identification card. And the
5 important thing I think from an
6 employment standpoint that people have to
7 understand is, that card is only good for
8 one year. So it's not a perpetual
9 get-out-of-jail-free card, so to speak.
10 It has to be renewed every year.

11 And the other important thing
12 is, you can only purchase medical
13 marijuana through a licensed dispensary,
14 which there are six regions throughout
15 the Commonwealth and where they'll be
16 dispensed throughout those regions.

17 And the other important thing,
18 it's not -- you have -- dispensaries have
19 either a physician, if it's the primary
20 location for the licensee, on staff when
21 it's open or a certified licensed
22 pharmacist.

23 So the forms of medical
24 marijuana you can currently get are
25 pills, creams, oils, liquids, tinctures,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 and vaporized form. You currently can't
3 get leaf or otherwise known would --
4 people would understand smokable
5 marijuana other than vape.

6 Now, this past week, the
7 advisory committee under the Medical
8 Marijuana Act at the Department of Health
9 has recommended to the Department of
10 Health to allow leaf to be sold so it can
11 be smoked, because some people prefer to
12 do that as opposed to one of these other
13 methods.

14 There is a lot of concern with
15 children over edibles. Edibles cannot be
16 sold. Although you can create an edible
17 on your own if you're in part of the
18 program, but you can't sell it.

19 Here are the 17 serious medical
20 conditions, and a couple of important
21 things from an employment standpoint.
22 These conditions cannot be changed unless
23 it's by statute. They're all as defined
24 by statute. And if you look at some of
25 them, I think you have to understand that

1 3/14/18 - LABOR - BILL 180012, ETC.
2 a lot of these are life-ending events.
3 They're not -- it's not like the
4 criticism that California had for its
5 medical marijuana program was all the
6 sudden everyone in California had
7 insomnia overnight, because it was so
8 liberal. Here it is a very highly
9 regulated system, and many of these
10 ailments are -- you're only going to
11 really get palliative care for pain
12 relief from those treatments. So there's
13 a distinct possibility a number of people
14 who have any of these 17 ailments
15 wouldn't be in the workforce anyway.

16 MR. VOEGELE: Thank you. I
17 think with that, I'll take the next slide
18 here.

19 Speaking specifically about
20 Pennsylvania's law and the employee
21 protections it provides -- first, let me
22 just take one step back and explain to
23 Council that really there's three
24 distinct groupings that states have
25 fallen into with regard to the

1 3/14/18 - LABOR - BILL 180012, ETC.

2 protections they provided employees in
3 their medical marijuana statutes.

4 There's a first group that really has no
5 employee protections in their statutes.

6 There's a second group that has what
7 we're calling limited protections. And
8 then there's the third group that has
9 enhanced protections.

10 Pennsylvania really falls in
11 that second category, at least right now
12 what we think, where we're providing a
13 protection, a limited protection, to
14 individuals that says you cannot
15 discriminate or retaliate against a
16 medical marijuana user solely by virtue
17 of their status as a medical marijuana
18 user.

19 The statute goes on to say that
20 nothing in the Act shall be construed in
21 any way as to require an employer to
22 violate federal law. And as we've
23 already heard today, there are a number
24 of federal mandates that require drug
25 testing of employees. And when this

1 3/14/18 - LABOR - BILL 180012, ETC.
2 statute was first passed, the advice we
3 were giving many of our employer clients
4 was that you still must abide by federal
5 drug-free workplace laws. Zero-tolerance
6 policies on drug uses is still okay. You
7 can discipline or terminate an employee
8 for failing a drug test. And of course
9 you can still discipline an employee who
10 is under the influence.

11 Our advice on that is starting
12 to change in light of what's happened in
13 some other states, and I'll touch on that
14 in just a moment, but just focusing on
15 Pennsylvania and what its statute
16 provides for. A medical marijuana
17 patient in Pennsylvania may not handle
18 certain regulated chemicals. They may
19 not operate high-voltage electricity or
20 public utilities. An example that would
21 come to mind is someone perhaps operating
22 a nuclear power plant control panel or
23 something of that nature, individuals who
24 are operating up in a lift and fixing
25 wires, that type of thing.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 And Pennsylvania's law has a
3 specific cutoff of 10 nanograms of
4 medical marijuana, and really the only
5 way to test that is through drug testing.
6 Also, Pennsylvania's law has specific
7 carve-outs that say a medical marijuana
8 patient should not work in confined
9 spaces or at heights. So these have
10 important implications in the
11 construction industry.

12 A few more specific provisions
13 in Pennsylvania's law give employers
14 broad discretion in identifying positions
15 as safety-sensitive and allow a company
16 to say, well, no, this job is
17 safety-sensitive, and if a medical
18 marijuana user were allowed to perform
19 it, it could create a life-threatening
20 situation either to themselves or to
21 others.

22 So those provisions are all in
23 there. Pennsylvania's statute also
24 provides and understands that there are
25 going to be unique situations and unique

1 3/14/18 - LABOR - BILL 180012, ETC.
2 employers, such as schools, correctional
3 facilities or youth developmental
4 centers, where there may be enhanced
5 concerns about having individuals with --
6 who are using medical marijuana in the
7 workplace. You can think about that
8 situation in a prison and how that could
9 create a number of issues.

10 So those are all carve-outs,
11 I'll say, that are contained in the
12 Pennsylvania statute and are important to
13 understand in the depth and level of the
14 protection afforded by the statute.

15 Now, as my colleague -- I'll
16 try and make this short -- Josh alluded
17 to earlier, when I say that Pennsylvania
18 falls in the second category of providing
19 limited protections, many of the other
20 state laws that were passed, especially
21 New England states, Massachusetts, Rhode
22 Island, Connecticut, also fit that model.
23 They stated that they only protected
24 employees solely based on their status as
25 a medical marijuana user, and the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 presumption was if you failed a drug test
3 in the workplace, you could still be
4 terminated. There have been a number of
5 poor decisions, however, in
6 Massachusetts, Connecticut, Rhode Island
7 that have all said, well, that may be
8 what our statute says, but we're going to
9 go beyond that and we're going to find
10 that even if a medical marijuana user
11 does fail a drug test, they're still
12 protected, so long as they're not
13 impaired in their work or unable to do
14 their job properly as a result of their
15 use of the medical marijuana.

16 So the point of all that is,
17 it's still unclear what Pennsylvania
18 courts are going to do in that regard and
19 whether they're going to say that no, no,
20 no, you're only protected for your status
21 as a medical marijuana user. So if your
22 employer says we're not hiring you
23 because you have a medical marijuana
24 card, period, that's unlawful. But we
25 don't know whether the Superior Court,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 the Commonwealth Court or the state
3 Supreme Court are going to say, well, no,
4 that's not enough under this statute. To
5 really provide protections, you need to
6 prohibit simply firing people for having
7 positive drug tests as well.

8 So I offer that as kind of the
9 state of law in Pennsylvania in terms of
10 the employee protections and to just
11 highlight for the Committee that the end
12 result really still remains to be seen on
13 how broad this protection will be
14 construed.

15 Thank you.

16 MR. HORN: I just wanted to add
17 one thing from Mr. Voegelé's comments.
18 The statute talks about under the
19 influence, and there's only one instance
20 which he touched on dealing with what
21 under the influence actually means, and
22 that's in the context of chemicals and
23 high-voltage electricity. You can't have
24 any more than 10 nanograms of
25 tetra-cannabinoids in your system.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 Now, I think what I want to
3 explain, there's an important distinction
4 that needs to be made, because marijuana
5 or cannabis has different components in
6 it. One is the psychoactive component,
7 which is otherwise known as THC. That's
8 what these drug tests typically test for,
9 and that's what's referred to in the
10 statute. The other component that's in
11 cannabis is called CBDs, or cannabinoids,
12 and those are generally deemed to be
13 those components that have the palliative
14 care, pain relief, sleep relief type of
15 qualities, and the issue is, I'm not
16 aware -- and Dr. Cohn can fill in the gap
17 for me, but I'm not aware of any drug
18 test that actually can test for CBDs.
19 And so theoretically somebody -- I could
20 have taken CBDs five minutes before I
21 came in to Chambers here today,
22 technically been under the influence, but
23 no one would have ever known, because it
24 doesn't have the -- it doesn't give you
25 the high effect as THC would, and I think

1 3/14/18 - LABOR - BILL 180012, ETC.
2 that's an important distinction to
3 understand, because I think -- although
4 the legislature did a nice job and it
5 really opened up a door as to really what
6 does under the influence mean.

7 DR. COHN: Okay. Wow, I don't
8 know where to begin here. Cut me off if
9 I've overstepped my bounds in terms of
10 time. I didn't have a formal
11 presentation to present because I was
12 just notified and agreed to participate
13 in this panel. But there are many areas
14 that were mentioned here, and I want to
15 draw the focus, because my understanding
16 was to discuss the aspects of the Medical
17 Marijuana Act as it pertains to not just
18 the employee but also the employer, and
19 under those circumstance, there are many
20 aspects that were talked about today and
21 need some clarity.

22 Just by way of stepping back a
23 moment or so, I'm a forensic
24 toxicologist. Toxicology is a branch of
25 pharmacology. Pharmacology is the basic

1 3/14/18 - LABOR - BILL 180012, ETC.
2 medical science that deals with the
3 actions and uses or the wanted actions of
4 foreign substances on the body. So
5 pharmacology is the study of
6 therapeutics. It's that medical
7 discipline that deals with therapeutic
8 agents. Toxicology takes it a step
9 further where it's concerned not just
10 with the desired effects, but also with
11 the adverse effects. And then forensic
12 toxicology is a further sub-branch that
13 deals with the detection, the
14 measurement, the confirmation, and the
15 interpretation of foreign substances in
16 body tissues and fluids, and these fluids
17 can either -- and these biologic
18 specimens could either be from
19 post-mortem specimens -- I used to be a
20 toxicologist with the Medical Examiner's
21 Office for Philadelphia for eight
22 years -- or they can be from any mortem
23 specimens, and I practiced in that realm
24 for the last 30-plus years as a forensic
25 toxicologist.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 I also am the author of the
3 collectively bargained National Master
4 Freight Agreement dealing with the
5 uniform drug and alcohol testing
6 guidelines that was agreed upon between
7 the International Brotherhood of
8 Teamsters and the organized trucking
9 industry. At some point after that --
10 that was in the mid '80s and it was in
11 effect for five years or so, and then the
12 federal guidelines came in under the
13 Drug-Free Workplace Guidelines that took
14 effect, I believe, June of 1989.

15 I want to -- we heard discussed
16 today failing a drug test. If an
17 employee or a pre-employment test is
18 administered, the person can fail that
19 test. I want to distinguish here between
20 urine and blood and what the Pennsylvania
21 statute, as I understand it, versus --
22 you have to help me out here if I'm
23 interpreting it in error. Based on what
24 it means to, A, fail a test and what kind
25 of test is being done.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 In a pre-employment test, urine
3 is used. A non-invasive test; in other
4 words, you're not doing a vena puncture
5 or drawing blood, you're merely obtaining
6 the urine to test for a variety of
7 substances, one of which would be
8 marijuana products. In that urine we are
9 looking for the metabolite of marijuana,
10 one of the cannabinoids. We're looking
11 for the inactive metabolite under the
12 federal guidelines, which is
13 tetrahydrocannabinol carboxylic acid.
14 I'm just going to refer to it as carboxy
15 THC. The THC doesn't exist in the urine.
16 THC is a fat-soluble drug. It doesn't
17 want to reside in urine, which is
18 essentially all water. So the species of
19 the marijuana that you're looking for in
20 urine is the carboxy THC, the inactive
21 concentration. But by the same token,
22 nobody is, under the federal guidelines
23 anyhow and in my opinion, which should be
24 adopted by the Council, is that those
25 guidelines are for the purpose of showing

1 3/14/18 - LABOR - BILL 180012, ETC.
2 use. The part where you're referencing
3 on this last slide where it talked about
4 10 nanograms ML -- and I think the exact
5 wording in the Medical Marijuana Act is
6 10 nanograms of tetrahydrocannabinol per
7 ML blood, per milliliter blood. Then it
8 says "in serum." So what does that mean?
9 And I want to differentiate between the
10 two types of tests that are going to be
11 performed.

12 From the standpoint of
13 pre-employment testing or random testing,
14 if that's mandated or it's utilized by a
15 company, that would utilize urine, and
16 the purpose of that test is to determine
17 use, not impairment. So if somebody
18 appears to be in a work environment where
19 there are deficits that trigger a
20 reasonable-suspicion test, most people
21 are going to do a urine test. Whereas,
22 under the statute, the way I see it
23 written is, it actually gives you a value
24 and it talks about blood and -- I'm
25 distinguishing this as blood in serum,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 and I'm distinguishing there because if
3 you run serum, you're going to have
4 probably twice the level of the THC. In
5 the blood, we look for THC and carboxy
6 THC. Urine you're only looking for the
7 inactive carboxy THC. But the statute
8 refers to 10 nanograms of the THC in
9 serum. If you were to run the blood,
10 that's going to have half the amount. It
11 doesn't matter from a toxicological
12 standpoint what specimen you run. If I
13 run blood in a reasonable-suspicion event
14 where somebody is showing outward
15 manifestations or some behavior that
16 triggers an in-service test, according to
17 the way I read the statute, the only way
18 you can say that he's under the
19 influence, quote/unquote, is that you
20 have to have 10 nanograms in serum or 5
21 nanograms in blood. So there's a
22 difference between what happens under
23 federal guidelines versus what happens in
24 the -- all right?

25 COUNCILWOMAN PARKER: No.

1 3/14/18 - LABOR - BILL 180012, ETC.
2 Doctor, you just raised an important
3 point, and I'm hoping our attorneys can
4 go back for us to the slide where you
5 have serious medical conditions, if you
6 can just go back to that slide. And I
7 would ask that we pay particular close
8 attention to this. Of all of the serious
9 medical conditions that must be diagnosed
10 or are allowed, you are allowed to
11 receive medical marijuana as a form of
12 treatment, the one that is highly likely
13 and most concern to me as a member of
14 Council and a representative of the City
15 is the issue of PTSD, and the reason why
16 the post-traumatic stress disorder is
17 extremely important is we have now,
18 similar to what we have found relative to
19 the discussion of opioids, that we have
20 now compared addiction to opioids as a
21 public health crisis versus a criminal
22 kamikaze that we reference, the crack
23 cocaine epic in the 1980s that ravaged
24 areas and communities like the one I grew
25 up in in West Oak Lane.

1 3/14/18 - LABOR - BILL 180012, ETC.
2 PTSD right now, we are hearing
3 doctors, medical professionals, social
4 workers, educators acknowledging that
5 communities that suffer from a high rate
6 of gun violence, child abuse, sexual
7 assault environments like this, that they
8 are making a connection that trauma --
9 that residents who have experienced these
10 types of acts, whether it be gun
11 violence, abuse, sexual assault, that
12 they have been diagnosed as having PTSD.
13 So when we talk about who could be
14 diagnosed with PTSD -- and I know we were
15 talking about, well, people with some of
16 these diseases wouldn't be working in
17 many industries that we would be
18 concerned about. But I would dare say to
19 you that there are people in the City of
20 Philadelphia living in every neighborhood
21 that you can think of who, if a doctor
22 diagnosed them with PTSD because they
23 were maybe impacted by something that I
24 described, are forced to go to work every
25 day and function in the midst of their

1 3/14/18 - LABOR - BILL 180012, ETC.

2 trauma and the traumatic stress that they
3 have and they still have to function and
4 provide for a family.

5 So when we sort of talk about
6 guidance, that we're looking to you, the
7 legal industry, the medical industry to
8 help to provide to us as a city to do
9 what Councilman O'Neill so aptly
10 described as making recommendations from
11 our fact-gathering that we conduct here
12 in the City to the Commonwealth as it
13 moves forward, that's the lens through
14 which we want you to think about our
15 actions in a very practical -- the nature
16 of the response that we can see from the
17 ground up.

18 So when you think about PTSD,
19 which I was happy you sort of went
20 through all of the allowable medical
21 conditions, that's the one for me that
22 really raised the red flag and wait a
23 minute, from an education perspective,
24 how can we proactively inform our
25 citizenry of how they should move forward

1 3/14/18 - LABOR - BILL 180012, ETC.
2 if in fact they become patients and how
3 it will affect not just our employees but
4 we're thinking about our business owners
5 too.

6 So if you could, just any
7 recommendations, ideas, concepts do you
8 think that we should sort of form here at
9 the local level. Do we need to form an
10 advisory committee that you all in the
11 private sector, the legal community,
12 along with the medical community, would
13 be able to help us develop a guide of
14 potential educational recommendations
15 that can be used as a tool to, again,
16 just educate residents in the City of
17 Philadelphia about issues relative to
18 this medicine that they should be
19 concerned about and any unintended
20 consequences that will impact employers
21 and employees that we should be telling
22 them that they should be aware of. Your
23 comments and your thoughts.

24 MR. VOEGELE: Yes. George
25 Voegele speaking again.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 I think that you raise an
3 excellent suggestion, that perhaps some
4 type of an ongoing advisory body, panel
5 or just workforce within the Human
6 Relations Commission may be of use and
7 help. You're absolutely right, many of
8 these conditions that we're seeing are
9 chronic conditions that unfortunately
10 lead to -- well, don't have a good
11 outcome. At the same time, many of them
12 such as Parkinson's, epilepsy, glaucoma,
13 PTSD, as you said, people go to work with
14 them every single day in the City of
15 Philadelphia, and so these individuals
16 will need help and guidance in managing
17 these conflicting legal requirements.

18 And importantly too, there are
19 a number of different interested groups
20 in this. It's, of course, the patients
21 who suffer from these conditions and need
22 it, first and foremost. At the same
23 time, you also have the public and their
24 interest in safety and making sure
25 that -- you know, this may sound silly,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 but no one wants someone using or under
3 the influence of medical marijuana
4 driving their children's school bus or
5 necessarily up in a cherry picker working
6 on a power line, and those kinds of
7 things are already baked into state law.
8 So we have to balance those interests as
9 well in public safety along with
10 employers' interests in making sure that
11 they're complying with the law and, at
12 the same time, getting the best out of
13 their employees, giving them the best
14 opportunities to do their best in their
15 careers despite these conditions and
16 having to work through them.

17 So perhaps that type of a group
18 or advisory panel would be very helpful
19 in helping everyone navigate this issue.

20 MR. HORN: And just to add on,
21 Joshua Horn, add on to Mr. Voegelé's
22 comments. I think the issue has to be
23 studied, because PTSD is somewhat
24 amorphous and people -- one person may
25 say it's PTSD, another person may say

1 3/14/18 - LABOR - BILL 180012, ETC.
2 it's something else. But I think the
3 important thing you have to understand
4 is, the statute itself provides for a
5 special license called the clinical
6 research license, and hopefully what I
7 hear, the regulation is supposed to be
8 finalized by this weekend and we're going
9 to start that process. And so what the
10 clinical research registrant license will
11 be would be -- there's teaching hospitals
12 throughout the Commonwealth and there's
13 going to be a company affiliated with the
14 teaching hospital, and part of what the
15 project will be is the study and research
16 the effects of medical cannabis on all
17 these serious medical conditions. So my
18 hope is through that process, there will
19 be some reporting at least back to the
20 Commonwealth as to what are we really
21 seeing, can we treat PTSD with a CBD only
22 so people aren't getting that high at
23 work or does it have to be treated
24 differently. So that's the clinical
25 registrant license.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 Now, there's an aspirational
3 provision within the statute, which I'm
4 not optimistic about, which is just a
5 general research provision on the Chapter
6 19 of the statute. I think it's
7 aspirational that the Commonwealth wants
8 to have studies about it, but I think
9 it's more likely you're going to get it
10 through the private sector, through these
11 clinical research registrants. And then
12 there's an advisory board to the
13 Department of Health will then have to
14 report back to the Department of Health
15 whether changes need to be made in the
16 statute or additional regulations need to
17 be made to actually specifically address
18 some of these medical conditions, if they
19 need to be addressed in a particular way.

20 So I think there's some
21 infrastructure from the Commonwealth
22 standpoint for ongoing study, but I do
23 believe it is something we have to be
24 looked at very seriously.

25 DR. COHN: I want to go back

1 3/14/18 - LABOR - BILL 180012, ETC.
2 and refocus on what the Council can do in
3 terms of employee protections and
4 employer protections, because my
5 understanding, that was the focus of what
6 we're dealing with here. None of us
7 should be dealing with trying to
8 interpret the medical conditions or
9 evaluating a patient. An employer
10 certainly shouldn't be responsible for
11 determining whether or not one condition
12 is going to be acceptable, another is
13 not. That's in a different realm, and
14 that's with other legal aspects.

15 However, there are -- we don't
16 have to reinvent the wheel. There are
17 processes which mimic the federal
18 guidelines that you carry over into the
19 non-federally regulated areas. For
20 instance, employees should be protected
21 against having their medical information
22 disseminated to their employer unless --
23 I think of one instance where under SEPTA
24 where they are required if they're
25 drivers to notify the medical department

1 3/14/18 - LABOR - BILL 180012, ETC.
2 prior to working whether or not
3 they're -- what medication they are
4 taking. Now, that's been in effect for a
5 long time. I don't know what the
6 legalities of that would be, but what
7 we're dealing with here is in the private
8 sector, what do the -- what are the
9 responsibilities of the employee, and to
10 me, their medical record should be
11 confidential, because just merely saying
12 they're a medical marijuana user may have
13 protections, but they could also trigger
14 adverse effects whether they're going to
15 be employed or not employed based on any
16 of these other conditions.

17 So I think that if they're
18 going to be subject to a test; in other
19 words, a pre-employment test, that the
20 results of that test goes through a
21 medical review officer, somebody who
22 reviews the nature of the test. If it's
23 a positive test or negative, all results
24 come from the medical review officer.
25 That way, the employer has no idea

1 3/14/18 - LABOR - BILL 180012, ETC.
2 whether the person was positive or not.
3 Let's take as an example in a
4 pre-employment instance. If somebody
5 tests positive for marijuana, the
6 employer isn't notified. The employer is
7 paying for the test, but he's not
8 notified as to the findings directly from
9 the laboratory. It goes to a medical
10 review officer, who then talks to the
11 individual. If that individual has a
12 medical marijuana ID card, to my way of
13 thinking under the Pennsylvania Act, that
14 becomes an MRO, a medical review officer
15 negative. The employer never sees that
16 negative -- never sees that positive.
17 That's no longer an issue. He has a
18 legitimate -- he has a medically
19 documented reason for having that
20 positive drug test.

21 And let me say that in those
22 urine tests that are being performed,
23 whether it's an in-service employee or
24 pre-employment, we're not looking for the
25 last molecule of marijuana or carboxy

1 3/14/18 - LABOR - BILL 180012, ETC.
2 THC, the metabolite in the urine. There
3 are cut-off levels, threshold levels that
4 must be reached, and you have to work on
5 those. However, I think under the
6 Medical Marijuana Act, the fact that
7 that's going to be legal for these
8 individuals to have access to the
9 marijuana, virtually all of those are
10 going to test positive on a urine test
11 because they're going to be taking it
12 chronically day in and day out and -- I
13 mean, you hear these stories where
14 marijuana stays in the body for 30 days
15 and so on. It stays in the body for a
16 lot longer than that, but we're not
17 looking some place in the body. We're
18 not doing a fat biopsy or taking a liver
19 biopsy. We're looking in the urine, and
20 you have threshold values, and probably
21 you're dealing with days, three days, but
22 I would tend to think with chronic
23 medical marijuana use, you're going to
24 have a longer window to see the positive
25 findings. But if there is a positive

1 3/14/18 - LABOR - BILL 180012, ETC.
2 finding, the medical review officer
3 interviews the individual. If there is a
4 legitimate reason and according to the
5 Act, if there is -- whatever that term
6 was, the medical marijuana identification
7 card, if that's present, that becomes a
8 negative to the employer. So no action,
9 no adverse action is taken against that
10 employee.

11 By the same token, it protects
12 the employer, because he's no longer --
13 he's out of the situation of deciding do
14 I use this as a reason to discharge or
15 not to hire, and it's no longer a
16 situation where he's making a medical
17 consideration or abusing the rights of
18 the employee. So I think there's a win
19 on both sides.

20 When it comes to the in-service
21 individual who is pulled because of the
22 under the influence designation in the
23 Act, that's the only reason that I see
24 where the person can be terminated or
25 action can be taken. The legislature has

1 3/14/18 - LABOR - BILL 180012, ETC.
2 actually given a definition. Whether
3 it's right or wrong -- it's probably
4 wrong, but whether it's right or wrong,
5 they've given a definition of what is
6 under the influence, and what is under
7 the influence is 10 nanograms per
8 milliliter -- 10 nanograms of THC,
9 tetrahydrocannabinol, the active
10 constituent, for milliliter serum. So
11 that would also go through a medical
12 review officer, but that's a no-brainer
13 because that's established. Those
14 values, the medical review officer has no
15 right under the Pennsylvania statute to
16 overturn that 10 nanogram or higher
17 value.

18 So that's my two cents worth so
19 far.

20 COUNCILWOMAN PARKER: Thank
21 you, Doctor, and we'll ask the panel --
22 and I'm going to ask again if you all
23 could just come up, because we don't want
24 you to leave while our next two members
25 are testifying, and Councilman Domb --

1 3/14/18 - LABOR - BILL 180012, ETC.

2 no. Please don't move. We'll just ask
3 the other two to move and you'll share
4 microphones. Thank you.

5 Councilman Domb.

6 COUNCILMAN DOMB: Thank you,
7 Madam Chairwoman.

8 I had two questions, very
9 simple answers to these questions. One
10 is for you, Dr. Cohn. The other question
11 will be for Mr. Voegelé and Mr. Horn.

12 Dr. Cohn, I just want to make
13 sure I understand what your testimony was
14 saying. You were talking about two types
15 of tests, a urine test and a blood test,
16 and I think what I learned is that the
17 blood test is a much more accurate test
18 than a urine test. Is that accurate?

19 DR. COHN: No. They're both
20 accurate.

21 COUNCILMAN DOMB: Both
22 accurate.

23 DR. COHN: Both accurate. It's
24 what they tell you.

25 COUNCILWOMAN PARKER: Excuse

1 3/14/18 - LABOR - BILL 180012, ETC.

2 me, Doctor. Can you use the microphone.

3 DR. COHN: I'm sorry.

4 They're both accurate tests.

5 The accuracy is not in question. It's

6 what they indicate or what they tell you.

7 COUNCILMAN DOMB: So does the
8 blood test indicate impairment while the
9 urine test does not, or is that not true?

10 DR. COHN: No. You're
11 absolutely correct. It's the same thing
12 as driving under the influence cases in a
13 criminal situation. The statute, if
14 you're driving a motor vehicle, doesn't
15 say that you cannot operate a motor
16 vehicle if you have a 0.08 percent urine
17 alcohol concentration. It says -- blood
18 concentration. So blood allows one to
19 determine whether or not there is a
20 circulating level of the drug sufficient
21 to cause impairment. Whereas, urine,
22 that's been removed from the system.
23 It's trapped, yes.

24 COUNCILMAN DOMB: So in your
25 opinion, doing the blood test will be

1 3/14/18 - LABOR - BILL 180012, ETC.
2 much more accurate and better results and
3 more information than a urine test?

4 DR. COHN: Yes, but it should
5 be reserved only for reasonable cause
6 cases because of the expense and the vena
7 puncture, the fact that you're drawing --
8 you don't want to be drawing thousands or
9 tens of thousands of blood draws
10 indiscriminately. So the urine -- as I
11 said, the urine is used to determine use
12 in a pre-hire situation. If there is a
13 use of the drug that's determined by the
14 positive urine test and there is no
15 medical documentation, there's no medical
16 marijuana identification card, then that
17 becomes a positive. A positive is not
18 turned around. If there is a legitimate
19 reason with that medical marijuana card,
20 then that positive test becomes a
21 negative to the employer. The medical
22 review officer reports to the employer a
23 negative finding even though it was
24 there. So the accuracy is there. It's
25 just that you can't use the urine to

1 3/14/18 - LABOR - BILL 180012, ETC.

2 determine impairment.

3 COUNCILMAN DOMB: Okay. Thank
4 you.

5 My second question is for both
6 of our attorneys at two very good firms
7 that the City has, by the way, and my
8 question is, based on what you've heard
9 and based on what our Madam Chairwoman
10 would like to see come out of this, which
11 is a guide basically, if I was one of the
12 companies in Philadelphia and I called
13 your firms and said, could you give me a
14 guideline as to how to deal with this
15 issue, is that currently available from
16 either of your firms that you provide?

17 MR. VOEGELE: So, Councilman,
18 our firm prepared a white paper that laid
19 out some of the basic parameters of the
20 law. I think we may have updated it at
21 some point. I don't know that we have
22 anything that's as comprehensive or
23 in-depth that perhaps the Committee is
24 considering now. It was more along the
25 lines of, hey, these are the new

1 3/14/18 - LABOR - BILL 180012, ETC.
2 requirements, you should be aware of
3 this, and if you need help complying with
4 it, give us a call. But that's, I
5 believe, as far as we've gone in terms of
6 explaining it to our clients. And other
7 than that, it's been advising individual
8 companies in their unique situations
9 given their workforces.

10 MR. HORN: And our experience
11 is consistent with Mr. Voegele's firm.
12 We've been focused on, for example,
13 companies that have policies, drug
14 statement policies in their employee
15 handbooks. We've been revising those
16 issues to take into account, number one,
17 that you can't discriminate, but at the
18 same time, one of the gaps that's in the
19 statute is, you can't discriminate, but
20 it doesn't say anything about if you have
21 a mandatory zero-tolerance drug test.
22 You hire them on day one. You give them
23 a drug test on day two. You fire them on
24 day three. I mean, that scenario is
25 unfortunately existing.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 COUNCILMAN DOMB: Well, let me
3 ask this question: As an example, if
4 Comcast or ARA or University of
5 Pennsylvania called either of your firms
6 and said, we'd like to develop a policy
7 on this issue, what would you provide
8 them with?

9 MR. HORN: I think what we'd
10 start doing is look at what policy they
11 have in place and then look at what's in
12 the statute and try to frame a policy
13 consistent with what the statute provides
14 based on our interpretation of the
15 statute.

16 Unfortunately, in my opinion, I
17 think ultimately judges will be deciding
18 what that means, because -- and I think
19 the statute was written open-ended, in a
20 sense, because there's so much
21 uncertainty.

22 COUNCILMAN DOMB: So I guess my
23 question really is, is there any
24 background information that either of
25 your firms have or know of other firms or

1 3/14/18 - LABOR - BILL 180012, ETC.
2 the Bar Association has that you can just
3 share with our Chairwoman for this
4 Committee to help formulate this guide?

5 MR. HORN: I'll be happy to
6 look into it.

7 MR. VOEGELE: Yeah. We can
8 certainly look into it. I know that
9 various law firms and chambers of
10 commerce have notified their constituents
11 or their clients about this law. I don't
12 know how comprehensive, though, other
13 providers' notifications have been beyond
14 my own.

15 COUNCILMAN DOMB: Okay. Thank
16 you very much. Thank you.

17 MR. HORN: Thank you.

18 COUNCILWOMAN PARKER:
19 Councilman Taubenberger.

20 Excuse me, Councilman
21 Taubenberger. Before you start,
22 Councilman O'Neill relative to the bill
23 that was passed prior to the public
24 hearing on the resolution.

25 COUNCILMAN O'NEILL: Yes. That

1 3/14/18 - LABOR - BILL 180012, ETC.
2 bill was reported out before I arrived
3 here, and I'd like to be recorded as
4 voting aye on Bill No. 180012.

5 COUNCILWOMAN PARKER: Thank
6 you, Councilman O'Neill. And the record
7 will reflect your affirmative vote.

8 COUNCILMAN O'NEILL: Thank you.

9 COUNCILWOMAN PARKER:
10 Councilman Taubenberger.

11 COUNCILMAN TAUBENBERGER: Thank
12 you.

13 You had just said that you
14 thought the state law was open-ended and
15 very vague. That's difficult and I can
16 see great difficulties here, but I just
17 wanted to ask you, in your opinion, what
18 could they do, the state legislature, to
19 tighten it up?

20 MR. HORN: Well, I'll use what
21 does it mean to be under the influence.
22 So there is a definition for under the
23 influence if you're in the chemical
24 industry or you're operating with
25 electricity. One way to tighten it up,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 you define "under the influence,"
3 whatever they define that to be. If it's
4 going to be 10 nanograms of THC in the
5 blood serum, then that's it, but I think
6 that would be one way to at least close
7 that gap.

8 It will still be an issue
9 because, as Dr. Cohn said, it stays in
10 your system for quite some time, and if
11 you're a heavy user with people who are
12 suffering from one of the serious medical
13 conditions, you could be -- you could
14 have a very high level of THC in your
15 blood and not be high at work. And so --
16 but I think there's only so much you can
17 do, and I think if they define really
18 what "under the influence" means, that
19 would be a step in the right direction.

20 COUNCILMAN TAUBENBERGER:

21 And --

22 DR. COHN: I just wanted to
23 clear up one thing.

24 COUNCILWOMAN PARKER: Dr. Cohn,
25 the stenographer is giving me the eye.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 Thank you.

3 DR. COHN: Sorry.

4 The THC does not stay in the
5 blood for a long time. It's
6 relatively -- it dissipates relatively
7 faster. It's sucked into the non-water
8 compartments of the body and small
9 amounts will leach out. You probably
10 can probably by routine methods detect it
11 for maybe five to seven hours or so after
12 its last use. The caveat is for somebody
13 who is taking it chronically day in and
14 day out, there may be longer periods and
15 higher levels.

16 Once again, I believe that
17 anybody that has a medical marijuana
18 identification card is using it
19 chronically, he's going to test above
20 that 10 nanogram value, no matter what,
21 even though the levels have dropped. The
22 important factor that the employer has to
23 consider is that if they're going to pull
24 an exam, if they have reasonable
25 suspicion to have an employee looked at,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 to have him tested because they feel he's
3 under the influence -- I think one of
4 your slides, it said how will the
5 employer know that it's 10 nanograms.
6 You're never going to know, but the test
7 is what proves it. But if you're going
8 to pull that individual, the time to do
9 it is immediately and not bring other
10 people in to say what does he look like
11 and maybe I should do this or maybe I
12 shouldn't, because those levels are
13 falling. However, like I said, with a
14 person who is taking it chronically with
15 a medical marijuana identification card,
16 that person, I have a feeling, that no
17 matter what, he's going to test positive
18 in a blood test, in a reasonable cause
19 blood test, a reasonable suspicion test.

20 COUNCILMAN TAUBENBERGER: Madam
21 Chair, thank you.

22 COUNCILWOMAN PARKER: Thank
23 you.

24 Thank you so very much. And,
25 again, I hope we're not holding you, but

1 3/14/18 - LABOR - BILL 180012, ETC.

2 I do want you, if you will, to just
3 remain seated while we ask Panel 3, Mr.
4 Mike Lee from the DA's Office, along with
5 Ms. Samira Harris to give their
6 testimony, because I think responses
7 could potentially overlap. And we can
8 start with Mr. Mike Lee from the District
9 Attorney's Office.

10 MR. LEE: Thank you, Chairwoman
11 Parker, and thank you to the Labor and
12 Civil Service Committee for inviting the
13 District Attorney's Office to testify
14 here today about such an important
15 matter. Specifically, the District
16 Attorney's Office is asked to testify
17 about the status of individuals with
18 convictions related to marijuana and
19 their ability to work in the medical
20 marijuana industry and, secondarily, how
21 we as law enforcement may handle cases
22 with visa holders, DACA recipients, and
23 undocumented immigrants as it relates to
24 medical marijuana.

25 To the first point of people

1 3/14/18 - LABOR - BILL 180012, ETC.
2 with convictions working in the medical
3 marijuana industry, the Act, as I
4 understand it, defines three basic
5 categories of industry employment. The
6 first would be that of a doctor, and the
7 statute is -- or the Act is silent as to
8 if a prior conviction for a controlled
9 substance would prohibit a doctor from
10 entering into the training program to
11 become certified as a provider. I would
12 imagine that some of the other state
13 licensing requirements around practicing
14 medicine would include some type of drug
15 testing or other protections for the
16 public, but as it relates to the Medical
17 Marijuana Act, that category of
18 employment is silent as to prior
19 convictions for marijuana.

20 The second category would be
21 that of a caregiver, which is a person
22 authorized to pick up marijuana at a
23 dispensary or administer it to a
24 registered patient. Those individuals,
25 the department -- and I'm quoting the Act

1 3/14/18 - LABOR - BILL 180012, ETC.
2 here -- "shall deny the application of a
3 caregiver who has been convicted of a
4 criminal offense that occurred within the
5 last five years relating to either the
6 sale or possession of drugs, narcotics or
7 controlled substances. The department
8 also may deny," meaning they have some
9 sort of discretion, "an application if
10 the applicant has a history of drug abuse
11 or of diverting controlled substances or
12 illegal drugs."

13 So essentially if you are
14 applying to be a caregiver for a medical
15 marijuana recipient, a conviction within
16 the last five years shall prohibit you
17 from getting your caregiver's license.
18 It is unclear if that is five years from
19 the conviction date, five years from the
20 offense date or five years from the end
21 of supervision, all of which would be
22 different moments in time of when the
23 clock would start ticking.

24 The third category of
25 employment as defined by the Medical

1 3/14/18 - LABOR - BILL 180012, ETC.
2 Marijuana Act is a very large catchall
3 called medical marijuana organizations,
4 and that would include growers of medical
5 marijuana, processors of medical
6 marijuana, and medical marijuana
7 dispensaries. In this instance,
8 convictions come up very broadly.
9 Essentially you may not volunteer or hold
10 any compensated position if you have a
11 conviction for the sale or possession of
12 illegal drugs, narcotics or controlled
13 substance. There's no time limit as to
14 how old a conviction can be that would
15 allow even discretion for the Board to
16 grant a permit to an organization or
17 individual employee, and that would
18 include financial backers of a
19 dispensary, processor or grower of
20 medical marijuana, principal officers of
21 those three or employees. So I think
22 that would cover everyone from someone
23 who is driving a truck to and from a
24 dispensary, someone selling or providing
25 or dispensing medical marijuana in a

1 3/14/18 - LABOR - BILL 180012, ETC.
2 dispensary, up through a financial backer
3 of a medical marijuana organization
4 applying for a permit to grow marijuana.

5 As that relates to the
6 residents of Philadelphia, it's a little
7 difficult for us with our current
8 technology to discern a couple things
9 within our data. First and foremost, we
10 have to consult a separate database to
11 look at arrest information compared to
12 convictions. So it took us a little
13 longer to focus in on how can we identify
14 convictions. We still haven't quite been
15 able to parse out if someone is a
16 resident of Philadelphia when their
17 conviction occurred or if they were
18 visiting or, correspondingly, if they're
19 a resident with a conviction from another
20 state.

21 Another very important barrier
22 that we discovered is that the racial
23 data and identification is usually
24 determined and assigned at the time of
25 arrest by an arresting officer. So it

1 3/14/18 - LABOR - BILL 180012, ETC.
2 can be self-disclosed where an officer
3 asks an arrestee how they identify
4 themselves, but from what I've been able
5 to gather, more often than not that is
6 just what the officer believes someone's
7 race to be. They do not follow the
8 racial categories as defined by the
9 census or anything else. So we actually
10 don't really have good information on
11 Hispanic as a race.

12 With that said, I can tell you
13 that we looked back over a five-year
14 period from 2013 to 2017 to see under the
15 caregiver provision how many people now
16 would be allowed to be a caregiver if the
17 five years goes from the time of
18 conviction, and we found looking at just
19 marijuana arrests and not all drug
20 arrests, so these numbers would grow
21 probably exponentially if we were to
22 include other controlled substances, but
23 looking at just marijuana, there are
24 1,455 African American women with a
25 conviction for some type of marijuana

1 3/14/18 - LABOR - BILL 180012, ETC.
2 offense, whether it be small amount of
3 marijuana for personal use, if they were
4 picked up as a buyer during a sting
5 operation to get someone who was selling
6 marijuana or as a marijuana seller. That
7 is compared to white women, which came in
8 at 498 convictions. And by far the
9 largest group is African American men,
10 which is 11,946 convictions for some type
11 of marijuana-related offense compared to
12 white men, which would be 2,811.

13 So even with our preliminary
14 information, we can see a very
15 disproportionate impact on African
16 American men as it relates to marijuana
17 convictions. In fact, I was playing
18 around with the numbers and you can add
19 up the top five other categories and
20 still not come close to the total amount
21 of convictions for African American men
22 for marijuana-related offenses.

23 Conversely, diversion programs
24 are offered substantially less for
25 African American men than any other

1 3/14/18 - LABOR - BILL 180012, ETC.
2 group. In fact, it's the only group
3 where diversion is below 30 percent. So
4 every other demographic, racial
5 demographic, we were able to analyze had
6 at least 30 percent of marijuana-related
7 arrests going into some type of diversion
8 program, but only 26 percent for African
9 American men.

10 We can't really speculate as to
11 why that was historically, but some of
12 the policy changes that we've made since
13 January, we hope to impact and change
14 that drastically.

15 Specifically, the biggest
16 change as it relates to this question is,
17 the District Attorney's Office since
18 February 1st has ended the practice of
19 prosecuting small amount of marijuana
20 cases. They were making up -- I think in
21 one week we had 51 arrests for small
22 amount of marijuana, and about a third of
23 those were going through diversion, but
24 the rest were going to go through our
25 traditional trial system and take up

1 3/14/18 - LABOR - BILL 180012, ETC.
2 court resources, and the District
3 Attorney doesn't believe that small
4 amount of marijuana should consume the
5 same amount of resources as other types
6 of misdemeanor offenses within the City
7 of Philadelphia.

8 Another thing that we're doing
9 is expanding access to diversion programs
10 to include more marijuana-related
11 offenses, but that's a dual-edged sword.
12 What we're trying to do is get more
13 marijuana offenses out of Treatment Court
14 and Drug Court so that we can free up
15 treatment beds and other resources that
16 are available in Treatment Court for
17 people with different types of substance
18 abuse issues.

19 So, for example, someone who
20 might have an opioid issue would be
21 competing with someone with a marijuana
22 abuse issue for bed space if they're in
23 the same Treatment Court program. So
24 moving diversion of marijuana offenses
25 from drug treatment to other forms of

1 3/14/18 - LABOR - BILL 180012, ETC.
2 diversion, like accelerated
3 rehabilitative disposition, or ARD, we
4 hope will continue to allow us to help
5 people who need services for other types
6 of substance abuse and increase the
7 number of diversions as it relates to the
8 sale of marijuana, where we've already
9 said possession we're not going to
10 prosecute so that there's no reason to
11 divert.

12 For the second question that we
13 were asked concerning immigration, visa
14 holders, DACA recipients, and
15 undocumented immigrants and medical
16 marijuana, it's very important to
17 remember the federal-state distinction,
18 and it plays out very much in immigration
19 context. I believe the immigration takes
20 a similar stance as our state police,
21 which followed Alcohol, Tobacco and
22 Firearms, and the analysis is that an
23 unlawful user of or someone addicted to
24 any controlled substance doesn't have the
25 character or standing to own a firearm,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 so, therefore, if you have a license to
3 carry a firearm, you should consider that
4 against your desire to get a medical
5 marijuana card, because once you get a
6 medical marijuana card, you probably will
7 have your ability to carry a firearm
8 revoked, because receiving treatment is
9 viewed as having an addiction as it
10 relates to this federal law in the
11 interpretation by the ATF.

12 For someone who is not a
13 citizen, any citation or conviction for
14 marijuana possession or sales can trigger
15 removal proceedings for undocumented
16 immigrants and those living with visas or
17 on temporary status. In some cases, a
18 citation or conviction for marijuana
19 possession can also trigger removal
20 proceedings for a lawful permanent
21 resident.

22 Any admission to immigration
23 regarding the possession of marijuana,
24 regardless if it is legalized or
25 medically approved, can trigger removal,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 denial of admission, and this includes on
3 a naturalization application. If an
4 immigrant is never cited, arrested or
5 admits to the possession, then there may
6 not be any type of consequence for it,
7 but we have seen anecdotally an increase
8 in immigration officers asking people
9 about marijuana use and people are
10 volunteering, particularly in states
11 where it's legalized recreationally or
12 medically, yes, I use marijuana, which
13 can, therefore, trigger a removal
14 proceeding. The same would be true
15 almost de facto by having a medical
16 marijuana card. That would imply that
17 you are using or possessing marijuana and
18 could, therefore, trigger removal
19 proceedings. And I think something that
20 took me back some was that even if you
21 were employed in the medical marijuana
22 field, so let's say I had a job driving
23 marijuana from the grower to the
24 dispensary, under federal law I could be
25 considered a drug trafficker, and that

1 3/14/18 - LABOR - BILL 180012, ETC.
2 could be grounds for my removal even
3 though it's a lawful activity and
4 employment in the state in which I was
5 doing it.

6 COUNCILWOMAN PARKER: Oh, gosh,
7 to hear your testimony. We want to get
8 to your testimony, and I think if we
9 really do start with our questions, I
10 mean, it's just going to be just a
11 second. That's why it was important for
12 all of you to stay.

13 Why don't you give us your
14 testimony.

15 And you put a pin in everything
16 you just said.

17 MS. HARRIS: Thank you so much,
18 Chairwoman Parker and members of the
19 Labor and Civil Service Committee. My
20 name is Samira Harris. I'm a registered
21 nurse in the medical intensive care unit
22 at Einstein Medical Center, Philadelphia.
23 I'm also a member of the Executive Board
24 of the Pennsylvania Association of Staff
25 Nurses and Allied Professionals and on

1 3/14/18 - LABOR - BILL 180012, ETC.
2 our local Einstein nurses union. So I'm
3 here from the perspective of the labor
4 force and from the employee perspective
5 of this.

6 As a medical professional, I
7 support the medicinal use of medical
8 marijuana for patients that are in need.
9 However, I do have some concerns about
10 how employers may handle employees who
11 are also medical marijuana patients. For
12 example, PASNAP has thousands of members,
13 and it stands to reason that some of them
14 will be medical marijuana patients. I
15 think I can personally identify nurses
16 that have at least four or five of those
17 medical conditions listed on that board
18 that I know.

19 PASNAP members work for
20 hospitals and other institutions that
21 employ drug testing upon hiring and on a
22 random basis after hiring, and that's
23 with good reason. A medical professional
24 should never be at work while under the
25 influence of a prohibited substance.

1 3/14/18 - LABOR - BILL 180012, ETC.

2 However, what about the medical
3 professional who is also a medical
4 marijuana patient and only uses medical
5 marijuana during their off hours?

6 Additionally, as the doctor
7 stated here, we know that the mere
8 presence of the metabolite in one's urine
9 does not equate to impairment, and the
10 drug tests don't distinguish whether one
11 consumes an hour ago or five days ago.
12 What our employees are going to do --
13 what are employees going to do if their
14 employees test positive for marijuana,
15 but said employee is a medical marijuana
16 patient? What protections do we have in
17 place for employees who are medical
18 marijuana patients?

19 I know at my organization at
20 Einstein, which I actually think is
21 represented by Fox Rothschild, we have no
22 protections in place as of this moment.

23 It's because of unanswered
24 questions like these that I applaud
25 Councilwoman Parker for holding this

1 3/14/18 - LABOR - BILL 180012, ETC.
2 hearing on medical marijuana's potential
3 impact on employers and employees in
4 Philadelphia.

5 Now that medical marijuana is
6 being rolled out, it's imperative that we
7 get some of these questions answered
8 before these hypotheticals I just
9 described become a reality.

10 Thank you so much for having me
11 today.

12 COUNCILWOMAN PARKER: Thank
13 you. So, one, I want to thank both of
14 you, Samira along with Mike, for your
15 comments. I want to go back to, one, let
16 me just -- I wanted to make sure I noted
17 this, and I want to get this on the
18 record. I'm reading an article that was
19 dated February the 1st, 2018 and it was
20 from NBC10, and it says, Philadelphia Rep
21 Jordan Harris, who was also the Chair of
22 the Pennsylvania Legislative Black
23 Caucus, introduced a bill to
24 automatically expunge cannabis
25 convictions for medical marijuana

1 3/14/18 - LABOR - BILL 180012, ETC.
2 patients in Pennsylvania, and
3 Representative Harris is quoted as
4 telling NBC10, it will be for anyone with
5 a medical marijuana recommendation. So I
6 wanted to note that for the record.

7 I wanted to come quickly, if I
8 could -- I'll come back to it. I'll find
9 it and come back to it.

10 I wanted to ask you, Mike, and
11 I wanted you to help explain it as simply
12 as you possibly can. If I, according to
13 the law as enacted by the General
14 Assembly, if I suffer from one of the
15 serious medical conditions listed and one
16 of the physicians authorized to prescribe
17 under the law prescribes me medicinal
18 marijuana, if I have a caretaker -- so
19 now I'm very practically going into the
20 homes, and I'm particularly thinking of
21 mothers and fathers, aunts and uncles who
22 are now being cared for by a relative who
23 is considered to be their caretaker, much
24 like home health aide workers. We even
25 see advertisement on television now that

1 3/14/18 - LABOR - BILL 180012, ETC.
2 when I was in the General Assembly were
3 encouraging people to age in place at
4 home, to not necessarily go to a nursing
5 home to live out their golden years, but
6 to stay home, and now firms have
7 structurally made it possible for your
8 daughter, your son, niece or nephew who
9 can work as your caregiver at home.

10 Are you telling me now that if
11 my selected caregiver -- and I'm just
12 thinking if it's my son or daughter or
13 niece or nephew, and I select them, they
14 are my caregiver, and this -- and I'm
15 prescribed, that they cannot be my
16 caregiver or get my prescription if
17 within the last five years they happen to
18 be one of the 11,946 African American men
19 who you said were convicted for some -- I
20 don't care if it was a small amount or
21 usage of marijuana or one of 1,455
22 African American women who you mentioned,
23 they are not eligible to serve as my
24 caretaker?

25 MR. LEE: First, the statistics

1 3/14/18 - LABOR - BILL 180012, ETC.

2 I gave you are for conviction totals.

3 COUNCILWOMAN PARKER:

4 Convictions.

5 MR. LEE: So it is possible
6 that one person could have multiple
7 convictions, and we're not quite able at
8 this point to discern if someone has
9 repeat offenses, but we hope to provide
10 that information.

11 More specifically to your
12 question, I believe that is correct. You
13 would not be able to designate that
14 individual as your caregiver in the
15 context of them being able to go to a
16 dispensary, show their caregiver
17 authorization, the prescription that you
18 would have as the patient, pick up
19 marijuana, transport it, and administer
20 it to the patient.

21 COUNCILWOMAN PARKER: So,
22 again, I know it may sound like I'm
23 beating a dead horse here, but I just
24 want to make sure the message is clear,
25 and others on the panel, if I am

1 3/14/18 - LABOR - BILL 180012, ETC.
2 describing anything that is not accurate,
3 because I know the public will be
4 watching this hearing. If I have a son
5 or daughter or a relative or someone who
6 is my designated caregiver because I have
7 one of the serious medical conditions
8 listed here in this PowerPoint and they
9 were convicted -- I think you talked
10 about like a small dosage, small use --
11 they were convicted, even if it was small
12 use, they cannot go and get my
13 prescription filled for me and come back
14 to administer it to me even with one of
15 the diseases that I listed here?

16 MR. LEE: Correct. So if you
17 are -- and there's no restriction on
18 prior convictions to be a patient and
19 receive medical marijuana as treatment,
20 which is good, but if you are homebound
21 and your primary caregiver is a close
22 relative and you want them to be
23 authorized to pick this up and not be
24 violating state law for handling
25 marijuana illegally, then they would have

1 3/14/18 - LABOR - BILL 180012, ETC.
2 to get certified by the state, and that
3 certification would not be allowed if
4 they were convicted of small amount of
5 marijuana possession within the last five
6 years.

7 COUNCILWOMAN PARKER: Yes.

8 MR. HORN: Just to pick up on
9 that point, so --

10 COUNCILWOMAN PARKER: Identify
11 yourself.

12 MR. HORN: Joshua Horn, for the
13 record.

14 So just to pick up on the
15 point, the statute is pretty specific on
16 what a caregiver -- how you get a
17 caregiver. And so when you as the
18 patient apply to be certified in the
19 program, you would also include that in
20 your request for certification. And so
21 then if the caregiver is disqualified for
22 some reason, then it doesn't necessarily
23 disqualify the patient from becoming a
24 medical marijuana recipient. It just
25 disqualifies the caregiver. And the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 statute is clear about the criminal
3 component. If the panel wants to look at
4 it, it's Section 502 and 507 of the
5 statute that talks about caregivers
6 qualifications and then when caregiver --
7 limitations on caregivers, so you have
8 that for the record.

9 COUNCILWOMAN PARKER:
10 Councilman Domb.

11 COUNCILMAN DOMB: Thank you,
12 Madam Chairwoman.

13 This question is for Mr. Lee.
14 I want to make sure I understand what you
15 said about the change in policy at the
16 District Attorney's Office. I think you
17 said as of January or February, the
18 policy has changed. Can you just explain
19 that to me briefly?

20 MR. LEE: Correct. The
21 District Attorney's Office since February
22 has declined prosecution when small
23 amount of marijuana is the lead charge
24 and we decline prosecution on that
25 particular charge if it's incorporated in

1 3/14/18 - LABOR - BILL 180012, ETC.
2 other offenses. So if you're arrested
3 and the only reason is that you had a
4 small amount of marijuana, which
5 statutorily is defined as 30 grams or
6 less, we will not prosecute that case,
7 and we hope that the Police Department
8 will issue a civil citation in lieu of
9 making an arrest and fingerprint. If
10 there are other offenses that the police
11 officer believes is taking place as well,
12 then the office would still consider
13 bringing those charges, but wouldn't
14 necessarily bring the charge of small
15 amount of marijuana or persons not to buy
16 controlled substance, which is the
17 statutory language for if the police are
18 watching a drug dealer in order to
19 confirm that that person was selling
20 drugs, they'll usually try to arrest two
21 or three buyers to say what was an
22 unknown leafy green substance turned out
23 to be marijuana when we took it from this
24 individual.

25 COUNCILMAN DOMB: What is the

1 3/14/18 - LABOR - BILL 180012, ETC.
2 amount that's the threshold, that's
3 considered a small amount?

4 MR. LEE: Statutorily it's 30
5 grams or less.

6 COUNCILMAN DOMB: And the other
7 question I have is, right now our prison
8 population has reduced up on State Road
9 with the six prisons we have from 8,200
10 down to 6,100 with the MacArthur grant,
11 all the great things we're doing. How
12 many people do you think we currently
13 have of the 6,100 that would not have
14 been arrested if that policy was in
15 place?

16 MR. LEE: Using the 51 arrests
17 in one week that we were able to identify
18 in late January, I would times that by
19 four and say 200 people a month were
20 being arrested and charged with small
21 amount of marijuana. I don't know what
22 the prior bail guidelines would call for
23 in that instance, so it's a little
24 difficult to say with any certainty, but
25 that's definitely something we can look

1 3/14/18 - LABOR - BILL 180012, ETC.
2 into.

3 COUNCILMAN DOMB: So let me ask
4 you this question: If we arrested
5 somebody in December of '17 under the old
6 policy but if they committed the same
7 exact crime in February of '18, they
8 would have gone with a citation maybe in
9 February of '18 and not gone to prison.
10 Can we find out how many people are
11 currently up on State Road under that
12 that would not have been arrested, and is
13 there a way -- I don't know the legality
14 of this -- to free them basically based
15 on this change in policy?

16 MR. LEE: Yes and yes. We are
17 currently going through the last few
18 months to see if there's any ongoing
19 cases where we still have an opportunity
20 to withdraw petitions, and we're looking
21 into ways to notify people who are still
22 within the appeal period to say, you had
23 this small amount of marijuana conviction
24 which is graded as a misdemeanor in
25 Pennsylvania, and just to give some

1 3/14/18 - LABOR - BILL 180012, ETC.
2 context for the full collateral
3 consequence of that type of misdemeanor
4 conviction, it would be a permanent bar
5 from jury duty if you have a small amount
6 of marijuana conviction. So what we're
7 trying to do is identify as many of those
8 individuals as possible who haven't been
9 convicted yet to withdraw prosecution, as
10 well as seeing if we can identify other
11 individuals who are still within their
12 appellate right so that they can appeal
13 and then we can withdraw prosecution at
14 that point.

15 COUNCILMAN DOMB: So there's
16 two points here that I want to bring up.
17 One is, if we can do that, I'd like to
18 see what we can do about getting their
19 records changed or cleared or improved
20 based on this new policy, expunged or
21 whatever.

22 And, two, I just want to bring
23 to light that the cost of the prison
24 system is currently, with fringe
25 benefits, because we never count that,

1 3/14/18 - LABOR - BILL 180012, ETC.
2 \$370 million. We've gone from 8,200 to
3 6,100. That's a 25 percent reduction.
4 Our prison budget hasn't changed, by the
5 way. In fact, it went up \$4 million in
6 the last budget hearing. And now we're
7 averaging \$60,655 per prison per person
8 per year, or \$166 per day or \$5,000 per
9 month. So if we're at 6,100 now and
10 we're supposed to go down to 5,500 and
11 you're going to find us 500 or so people,
12 whatever the number is, we can get down
13 to 5,000, we can start really seriously
14 closing one or two prisons, which, by the
15 way, at a time when we're talking about
16 raising taxes, there's a tremendous
17 amount of money -- if our budget is 370
18 and our prison reduction is 35 percent, I
19 would challenge the department to cut 15
20 percent of that budget or 50 million a
21 year, which is 250 million over five
22 years. Two-hundred fifty million of what
23 the Mayor needs of 900 is a big piece of
24 what we need to save. And the savings
25 should occur. So if you can help with

1 3/14/18 - LABOR - BILL 180012, ETC.
2 helping the situation, identifying how
3 many people are currently on State Road
4 that would not have been there under this
5 new policy, I'd like to work with you --
6 and I'm sure our Chairperson will too --
7 to get them out and back into society,
8 cleared.

9 MR. LEE: Absolutely. And to
10 respond to that excellent point, first,
11 we also -- when we identified those 51
12 cases, we've also contacted Philadelphia
13 Lawyers for Social Equity and the
14 Defenders Association to try to figure
15 out a way to also alert those individuals
16 of their right to an expungement. It's a
17 little awkward for the District
18 Attorney's Office to bring forward that
19 motion, but we've made it clear that we
20 won't oppose the expungement of those
21 charges in particular but more generally
22 a broad view.

23 Another policy implementation
24 that we have done that we don't quite
25 have the same control over is, we are

1 3/14/18 - LABOR - BILL 180012, ETC.
2 recommending that positive tests for
3 marijuana not violate somebody, and I
4 think a lot of the population that we
5 might see impacted by use of marijuana in
6 state prison or federal prison -- or
7 county jail, excuse me, is as a result of
8 a violation of a condition of supervision
9 and not necessarily a new arrest or the
10 existing arrest for marijuana only. So
11 we are looking to see how many of those
12 individuals could be released but for the
13 violation based off of positive tests,
14 and I think it also would be interesting
15 to see what that department's policy
16 would be for medical marijuana recipients
17 and positive drug tests for probation or
18 parole.

19 COUNCILMAN DOMB: How long will
20 it take for you to give us some sort of
21 an estimate on how many people are
22 currently on State Road that could be
23 released?

24 MR. LEE: Since it took us
25 about a week to get this information, I

1 3/14/18 - LABOR - BILL 180012, ETC.
2 would say it should take us about a week
3 to get similar type of information, and
4 if it doesn't look like it will happen,
5 then I will contact your office and just
6 let you know.

7 COUNCILMAN DOMB: Thank you
8 very much. I appreciate it. Thank you
9 very much.

10 Thank you, Madam Chairwoman.

11 COUNCILWOMAN PARKER: Listen,
12 thank you to members of this panel. I
13 just, for the record, want to note that
14 what we hear, those loud voices
15 advocating fervently and passionately for
16 what they believe in, are students from
17 our region who are participating in the
18 National School Walkout for gun reform
19 and reducing gun violence. They are
20 outside marching. And so I am -- when I
21 heard them, that was like hearing a baby
22 crying, Councilman Domb. You know, those
23 are activists there, and we're excited.

24 Let me just say for the record
25 I want to thank each and every one of

1 3/14/18 - LABOR - BILL 180012, ETC.
2 you, and I just quickly want to go
3 through these names again for the benefit
4 of not just those who are here but for
5 the public who are watching. We want to
6 thank Yvette Nunez, VP for the Chamber of
7 Commerce; Pedro Rodriguez, who was our
8 Director of Human Resources here in the
9 City; Rue Landau, the Executive Director
10 for our Commission on Human Relations;
11 George Voegele, who is a member of Cozen
12 O'Connor's Labor and Employment
13 Department; Joshua Horn, he is the
14 Co-Chair of Fox Rothschild's Cannabis Law
15 Practice and a member of the Philadelphia
16 Bar Association's Medical Marijuana and
17 Hemp Committee; Dr. Richard Cohn, a
18 forensic toxicologist with DrugScan; and
19 those very trying statistics and that
20 data that you heard came from a gentleman
21 named Mike Lee, who many of us -- if his
22 face is familiar to you in the public who
23 are watching, although he is here
24 representing the -- he's Assistant
25 District Attorney and Interim Director of

1 3/14/18 - LABOR - BILL 180012, ETC.
2 Legislation and Government Affairs for
3 our Philadelphia District Attorney's
4 Office, you know his face because long
5 before issues of expungement, criminal
6 justice reform sort of came bastions for
7 people to publicly advocate for, Mike Lee
8 was advocating in that industry long
9 before it became popular, and we just
10 wanted to note that for the record and
11 talk about what an added value you are to
12 District Attorney Krasner and his team.

13 And to Samira Harris, I see
14 you, Nurse, at Einstein Hospital and a
15 Board member for PASNAP, the Pennsylvania
16 Association for Staff Nurses and Allied
17 Professionals. To hear you as our
18 attorneys sort of put up the serious
19 medical conditions for which the use of
20 medical marijuana is allowed and to hear
21 you in your testimony note that you can
22 know of a few people who suffer from at
23 least three to four of those who are
24 actually working nurses right now in the
25 nursing industry, in the medical

1 3/14/18 - LABOR - BILL 180012, ETC.
2 industry, who could be impacted by the
3 unintended consequences associated with
4 this law, I think you affirmed for us
5 just why we needed to have this hearing
6 and to begin this discussion.

7 I also want to give credit
8 where credit is due and say a special
9 thanks to a lawyer I've never met, but it
10 was an article that he actually published
11 that I read in the Legal Intelligencer.
12 His name is John McCreary. He is a
13 lawyer at Babst Calland in Pittsburgh,
14 and in that article he wrote, the
15 imprecision of the Medical Marijuana Act
16 statutory language addressing employment
17 injects needless uncertainty into the
18 employer-employee relationship and will
19 likely not be resolved absence
20 litigation.

21 It was reading that article and
22 that quote in particular that raised the
23 red flag. We were dealing with this
24 issue from another perspective, but we
25 thought about the unintended consequences

1 3/14/18 - LABOR - BILL 180012, ETC.
2 associated with employment in an industry
3 that adds value, has positive
4 externalities for people who need this
5 support, but how could we in the City of
6 Philadelphia be proactive and using our
7 platform to educate and inform or
8 developing a formal process whereby we
9 inform our residents along as they learn
10 to live in the realm of Pennsylvania's
11 new law.

12 So I want to thank each and
13 every one of you for your testimony. You
14 have married to us on this issue now, so
15 rest assured, Council will not be
16 attempting to make any recommendations to
17 the state or I will not be recommending
18 or any other Committee members for Labor
19 and Civil Service making any
20 recommendations to the state on the
21 development of any guidelines even
22 relative to employment if we have not
23 called you all back, who have added value
24 to our hearing today, to ask you to be a
25 part of helping to guide us as we move

1 3/14/18 - LABOR - BILL 180012, ETC.
2 forward. So we want to thank each and
3 every one of you for your participation.
4 And Councilman Taubenberger has some
5 comments.

6 COUNCILMAN TAUBENBERGER: I
7 just wanted to say and reiterate what the
8 Chair Lady has just said, Chair Lady
9 Parker. I really want to thank you
10 really for your time, which I know is
11 valuable. I found all of this very,
12 very, very informative, and the time you
13 spent here -- I know you had to wait some
14 time as well, and the time that you were
15 at the witness table was very productive
16 in my end, and I do greatly appreciate
17 you being here. Thank you.

18 COUNCILWOMAN PARKER: Thank
19 you.

20 Thank you all again.

21 Also, we just want to note
22 before we close, our focus was very much
23 on unintended consequences associated
24 with the medical marijuana law and its
25 impact on employees and employers. It

1 3/14/18 - LABOR - BILL 180012, ETC.
2 was not until your testimony, Mr. Lee,
3 that you also just raised another flag
4 for us relative to the negative
5 unintended consequences for people who
6 are highly likely and/or probable to have
7 someone or may be considering someone to
8 serve as their caregiver and who needs
9 the support but may have been impacted or
10 have a previous conviction, particularly
11 for the small dose that you've actually
12 stopped prosecuting here in the City of
13 Philadelphia, but you make us think how
14 many residents of the City of
15 Philadelphia have one of those serious
16 medical conditions, are under the care of
17 a physician who's certified to prescribe
18 but don't have anyone close to them or
19 near them or they even know. Maybe they
20 could call someone at PCA. Maybe they
21 could call a social worker. I'm sure
22 there are options, but we're in
23 government and we sort of think that way.
24 The average Philadelphia citizen just may
25 not. So we have to in our mind sort of

Committee on Labor and Civil Service
March 14, 2018

Page 142

1 3/14/18 - LABOR - BILL 180012, ETC.
2 figure out how we work through that maze
3 in the delivery of that service so there
4 is no discrimination in those who are
5 having access even to the medication that
6 has now become legal in the Commonwealth
7 of Pennsylvania and benefit residents of
8 the City.

9 So thank you all so very much.
10 We look forward to working for you, and
11 that concludes this hearing for City
12 Council's Committee on Labor and Civil
13 Service.

14 Thank you all.
15 (Thank you.)
16 (Committee on Labor and Civil
17 Service concluded at 12:30 p.m.)

18 - - -
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

Committee on Labor and Civil Service
March 14, 2018

Page 1

A	96:5 97:24	73:16 86:20	66:7 84:10	115:21	113:19,22	117:3	arrived 12:15
a.m 1:7	accurate 33:9	86:21	85:4 86:18	alcoholic 30:8	114:4,5	applies 30:4	23:2 102:2
abide 69:4	95:17,18,20	112:18	88:12	alert 133:15	123:20	apply 65:3	article 45:22
abilities 55:7	95:22,23	added 11:4	advocate	Allan 1:10	126:4	126:18	121:18
55:9	96:4 97:2	137:11	137:7	2:15 3:20	127:23	143:21	138:10,14
ability 30:20	125:2	139:23	advocating	alleged 38:3	128:4,15	applying	138:21
46:12	accurately	addicted	135:15	alleviating	129:2,3,21	108:14	articles 57:6
106:19	143:5	115:23	137:8	13:17	130:23	110:4	ascended
116:7	acid 78:13	addiction	Affairs 24:9	Allied 58:23	131:5	appreciate	10:15
able 47:18	acknowledge	81:20 116:9	58:18 137:2	118:25	132:17	12:7 49:23	aside 48:13
55:5 56:7	47:10	addictive	affect 84:3	137:16	amounts	135:8	asked 106:16
58:11 84:13	acknowledg...	60:10	affiliated	allow 5:9 7:7	104:9	140:16	115:13
110:15	33:7 82:4	addition	87:13	66:10 70:15	analysis 60:4	appreciates	asking 33:12
111:4 113:5	act 21:5,20	21:22 36:13	affirmative	109:15	61:14	6:18 49:17	33:14 38:21
124:7,13,15	22:6,12	additional	102:7	115:4	115:22	appreciation	117:8
129:17	27:23 28:14	7:7 63:5	affirmed	allowable	analyze 113:5	11:13	asks 111:3
absence	28:15,16,21	88:16	138:4	83:20	and/or 39:7	approach	aspects 75:16
138:19	29:5,9,22	Additionally	afforded	allowed 56:25	141:6	44:7 55:25	75:20 89:14
absolutely	30:25 31:17	29:21 120:6	71:14	57:4 70:18	143:23	60:15	aspirational
48:4,8 85:7	34:9 35:5	address 17:23	African	81:10,10	anecdotally	approached	88:2,7
96:11 133:9	35:18,18,19	20:8 57:11	111:24	111:16	117:7	3:10 22:21	assault 82:7
abuse 35:8	36:25 41:16	88:17	112:9,15,21	126:3	announcem...	59:4	82:11
60:10 82:6	42:6 60:6	addressed	112:25	137:20	47:5	appropriate	Assembly
82:11	61:17 62:24	88:19	113:8	allowing	answer 9:12	43:20	18:23 22:5
108:10	66:8 68:20	addresses	123:18,22	24:23	10:10 14:8	approved	122:14
114:18,22	75:17 79:5	43:25	AFSCME	allows 34:10	32:21 38:11	63:10	123:2
115:6	91:13 92:6	addressing	30:13	96:18	answered	116:25	assigned
abusing	93:5,23	138:16	age 123:3	alluded 71:16	121:7	April 34:8	110:24
93:17	107:3,7,17	adds 139:3	agencies	alluding 52:8	answers	aptly 57:13	assignment
Academy	107:25	administer	47:24,25	alter 30:19	55:22 95:9	57:21 83:9	10:18
10:20	109:2	107:23	agency 34:4	amending	anti-discri...	ARA 100:4	assistance
accelerated	138:15	124:19	agents 76:8	1:15 2:19	35:25 41:13	ARD 115:3	6:22 33:17
115:2	action 15:23	125:14	ago 27:5 43:3	Amendment	41:15	area 34:21	Assistant
accept 37:24	22:3 56:23	administered	54:3 120:11	62:3	anxiety 48:17	42:24,25	58:16 60:18
acceptable	93:8,9,25	77:18	120:11	amendments	anybody	43:5 52:10	136:24
89:12	actions 31:14	administrat...	agree 50:23	61:25	50:14	areas 75:13	assisted 54:7
accepted	76:3,3	57:5 60:16	agreed 75:12	American	104:17	81:24 89:19	associated
36:17	83:15	admission	77:6	111:24	anyway 67:15	arrest 110:11	48:18 138:3
access 92:8	active 94:9	116:22	agreement	112:9,16,21	apparatus	110:25	139:2
114:9 142:5	activists	117:2	30:16 77:4	112:25	50:16	128:9,20	140:23
accident	135:23	admits 117:5	agreements	113:9	appeal	134:9,10	Association
19:25	activity 42:20	adopt 28:18	52:20	123:18,22	130:22	arrested	9:17 46:8,9
accommoda...	118:3	adopted	aide 39:17	Americans	131:12	117:4 128:2	50:13 58:23
31:24 36:23	acts 33:8 45:5	78:24	122:24	35:17 36:24	appears	129:14,20	101:2
48:11	82:10	adult 63:11	ailments	amorphous	79:18	130:4,12	118:24
accommoda...	actual 33:3	adverse 76:11	67:10,14	86:24	appellate	arrestee	133:14
31:19 37:20	ADA 37:3	90:14 93:9	airport 44:12	amount 1:16	131:12	111:3	137:16
44:9	42:6 44:8	advertisem...	AL 1:13	2:21 4:10	applaud	arresting	Association's
accommoda...	62:23	122:25	Alaska 27:10	5:2 6:11 7:4	120:24	110:25	136:16
36:9	Adam 3:7	advice 69:2	alcohol 30:3	7:6 8:9 13:7	applicant	arrests	assorted 56:9
account	12:19,24	69:11	31:7,13	15:10 23:16	108:10	111:19,20	assured
99:16	add 42:13	advising 99:7	43:25 77:5	80:10 112:2	application	113:7,21	139:15
accuracy	43:22 58:11	advisory 47:5	96:17	112:20	108:2,9	129:16	ATF 116:11

Committee on Labor and Civil Service
March 14, 2018

Page 2

attempt 46:12	132:7	101:2 131:4	135:16	31:1 32:1	134:1 135:1	133:18	87:16
attempting 57:20	await 38:5	136:16	believed 43:5	33:1 34:1	136:1 137:1	bringing	121:24
139:16	award 6:10	bargained	believes	35:1 36:1	138:1 139:1	51:24	136:14
attendance 2:11	6:21,23 8:3	77:3	111:6	37:1 38:1	140:1 141:1	128:13	capacity 56:8
attention 3:19 51:24	8:12 10:6	bargaining	128:11	39:1 40:1	142:1	broad 70:14	Captain
59:19 81:8	13:11 23:11	30:15 52:20	bend 51:10	41:1 42:1	bills 7:3	73:13	11:24 14:12
attitude 54:23	awarded 1:16	barrier	benefit 9:21	43:1 44:1	binding 46:15	133:22	carboxy
Attorney 57:7 58:16	2:22 8:4	110:21	64:3 136:3	45:1 46:1	biologic 76:17	broadly	78:14,20
60:18 61:8	9:22 13:7	Barristers	142:7	47:1 48:1	biopsy 92:18	109:8	80:5,7
61:18 114:3	awards 1:16	46:8	benefiting	49:1 50:1	92:19	Brotherhood	91:25
136:25	2:21 4:11	based 22:13	18:12	51:1 52:1	bit 62:12	77:7	carboxylic
137:12	4:23 7:25	71:24 77:23	benefits	53:1 54:1	Black 121:22	budget 62:15	78:13
Attorney's 21:13 22:9	23:23	90:15 98:8	57:21	55:1 56:1	blanket 55:25	132:4,6,17	card 64:14
46:11 58:19	aware 56:21	98:9 100:14	131:25	57:1 58:1	blends 52:24	132:20	65:4,7,9
106:9,13,16	74:16,17	130:14	best 22:3	59:1 60:1	blessed 10:12	burden 6:24	72:24 91:12
113:17	84:22 99:2	131:20	32:13 46:12	61:1 62:1,2	blood 77:20	bus 86:4	93:7 97:16
127:16,21	awareness	134:13	50:5 86:12	63:1 64:1	78:5 79:7,7	business	97:19
133:18	55:24	basic 75:25	86:13,14	65:1 66:1	79:24,25	30:12 84:4	104:18
137:3	awkward	98:19 107:4	bestowed	67:1 68:1	80:5,9,13	buy 128:15	105:15
attorneys 59:17 81:3	133:17	basically	10:7	69:1 70:1	80:21 95:15	buyer 112:4	116:5,6
98:6 137:18	aye 15:18	60:21 61:19	better 43:19	71:1 72:1	95:17 96:8	buyers	117:16
August 41:20	16:21,22	62:5 98:11	97:2	73:1 74:1	96:17,18,25	128:21	care 35:3
aunts 122:21	102:4	130:14	beverages	75:1 76:1	97:9 103:5		64:15 67:11
author 77:2	eyes 17:2	basis 18:14	30:8	77:1 78:1	103:15	C	74:14
authorities 54:17		28:8 36:5	beyond 72:9	79:1 80:1	104:5	C-A-L-L-A...	118:21
authority 31:2	B	64:2 119:22	101:13	81:1 82:1	105:18,19	41:10	123:20
authorization 124:17	Babst 138:13	bastion 63:24	big 50:15	83:1 84:1	board 47:25	California	141:16
authorized 107:22	baby 135:21	bastions	57:18	85:1 86:1	58:22 88:12	27:10 32:4	cared 122:22
122:16	back 48:3	137:6	132:23	87:1 88:1	109:15	44:17,18,23	career 10:14
125:23	56:24 67:22	Battalion	biggest	89:1 90:1	118:23	60:13 67:4	11:16
authorizing 1:17 17:19	75:22 81:4	10:15,19	113:15	91:1 92:1	119:17	67:6	careers 86:15
automatical... 121:24	81:6 87:19	battles 62:16	bill 1:15 2:1,7	93:1 94:1	137:15	call 3:5 22:18	caregiver
available 24:14,18	88:14,25	beating	2:17 3:1,6	95:1 96:1	Bobby 1:11	47:10,15	107:21
98:15	111:13	124:23	3:20 4:1 5:1	97:1 98:1	10:4	99:4 129:22	108:3,14
114:16	117:20	becoming	6:1,10 7:1	99:1 100:1	body 22:7	141:20,21	111:15,16
average 141:24	121:15	126:23	7:24 8:1 9:1	101:1,22	52:5 76:4	Callaghan	123:9,11,14
averaging	122:8,9	bed 114:22	9:3,10,20	102:1,2,4	76:16 85:4	41:10	123:16
	125:13	beds 114:15	10:1,5,6	103:1 104:1	92:14,15,17	Calland	124:14,16
	133:7	befall 12:5	11:1,25	105:1 106:1	104:8	138:13	125:6,21
	139:23	began 18:24	12:1 13:1,3	107:1 108:1	boundaries	called 2:3	126:16,17
	backer 110:2	begins 22:24	13:15 14:1	109:1 110:1	55:23	21:8 41:9	126:21,25
	backers	behalf 4:15	14:20 15:1	111:1 112:1	bounds 75:9	74:11 87:5	127:6 141:8
	109:18	6:5 7:11,21	15:24 16:1	113:1 114:1	brain 46:6	98:12 100:5	caregiver's
	background	9:6 24:20	16:3,5,9,14	115:1 116:1	branch 75:24	109:3	108:17
	100:24	behavior	16:18 17:1	117:1 118:1	brave 8:18	139:23	caregivers
	bail 129:22	80:15	17:3 18:1	119:1 120:1	BRIAN 1:12	calling 68:7	127:5,7
	baked 86:7	believe 11:25	19:1 20:1	121:1,23	briefly	candidate	cares 9:3
	balance 27:21	45:11 77:14	21:1 22:1	122:1 123:1	127:19	42:2	caretaker
	86:8	88:23 99:5	23:1 10:16	124:1 125:1	bring 43:23	cannabinoids	122:18,23
	balancing	104:16	23:23 24:1	126:1 127:1	53:2 57:25	74:11 78:10	123:24
	32:6	114:3	25:1 26:1	128:1 129:1	105:9	cannabis	carries 17:3
	banter 45:10	115:19	27:1 28:1,2	130:1 131:1	128:14	40:10 59:11	carry 89:18
	bar 40:12,15	124:12	29:1 30:1	132:1 133:1	131:16,22	59:15 60:7	116:3,7
	46:8 50:13					74:5,11	

Committee on Labor and Civil Service
March 14, 2018

Page 3

carve-outs 70:7 71:10	certification 126:3,20	changed 57:3 61:6 66:22	128:8 130:8	128:8	104:3	34:3 39:7	comparison 51:3
case 37:7	143:20	127:18	cited 117:4	139:19	136:17	45:17,18	compartme...
38:21 40:20	certified 28:9	131:19	cities 43:7,13	142:12,16	Cole 60:19,20	85:6 136:10	104:8
40:22 41:9	34:14,25	132:4	citizen 11:12	clarification	60:20 61:15	Commissio...	compassion
41:9,12,19	36:6 64:24	changes 3:2	116:13	57:9	collateral	3:7 7:21 9:6	6:18 7:13
41:25 42:4	65:21	27:19 48:23	141:24	clarity 75:21	131:2	12:13,18,20	compensate
45:2 128:6	107:11	88:15	citizenry	classification	colleague 4:5	12:25 14:15	7:8
cases 27:19	126:2,18	113:12	83:25	57:2	71:15	committed	compensated
37:2,25	141:17	chapter 34:6	citizens 4:16	clear 18:16	colleagues	130:6	109:10
38:3 40:18	certify 28:19	50:13 88:5	6:16 11:8	18:18 20:3	14:4,23	committee	compensati...
42:12 51:12	64:20 143:3	character	11:10,11	103:23	45:15 53:25	1:3,18 2:5	28:6
96:12 97:6	certifying	115:25	city 1:2,6,18	124:24	collective	2:10 4:3 5:7	competing
106:21	143:24	characterizes	2:5 4:11,15	127:2	30:15 52:20	6:9 7:20	114:21
113:20	chair 1:10	60:7	4:18 8:3 9:3	133:19	collectively	12:23 16:6	completed
116:17	15:2,25	charge 20:20	11:10,11,21	cleared	77:3	16:15 17:5	64:18
130:19	16:5 22:25	127:23,25	12:20 13:24	131:19	Colorado	17:13,20	complicated
133:12	40:11 49:25	128:14	14:2 17:19	133:8	27:10	23:11,24	34:22
catchall	50:4 51:23	charged	21:17,21,23	Clerk 2:16,19	Columbia	24:8,15	complicatio...
109:2	53:22 59:11	129:20	22:7 26:19	3:4,7 17:16	19:9 27:7	25:22 32:22	56:2
categories	105:21	charges	26:25 27:3	17:19 22:18	Comcast	33:21 38:21	comply 28:13
107:5 111:8	121:21	128:13	27:4 28:13	22:19	100:4	46:2 59:21	29:9 32:17
112:19	140:8,8	133:21	30:3,8,12	clients 69:3	come 38:16	66:7 73:11	complying
categorizes	Chairperson	checklist	30:16 31:8	99:6 101:11	46:16 51:6	84:10 98:23	25:12 86:11
35:6	33:20 133:6	39:21 42:14	39:15,17,25	clinical 87:5	58:19,24	101:4	99:3
category	Chairwoman	chemical	42:23,24	87:10,24	61:6 63:23	106:12	component
34:15 68:11	3:24,25	102:23	44:6 45:19	88:11	69:21 90:24	118:19	74:6,10
71:18	5:11 7:19	chemicals	46:17,23	clock 108:23	94:23 98:10	136:17	127:3
107:17,20	12:22 24:7	69:18 73:22	47:6,12	close 81:7	109:8	139:18	components
108:24	24:13 26:3	CHERELLE	50:6 52:17	103:6	112:20	142:12,16	74:5,13
Caucus	40:8 55:12	1:10	54:22 56:10	112:20	122:7,8,9	Commonwe...	comprehen...
121:23	59:25 95:7	cherry 86:5	81:14 82:19	125:21	125:13	24:25 40:22	98:22
cause 96:21	98:9 101:3	Chief 10:16	83:8,12	140:22	comes 10:22	52:15 53:14	101:12
97:5 105:18	106:10	10:19	84:16 85:14	141:18	52:11 93:20	57:10,16	computer
caveat 104:12	118:18	child 82:6	98:7 114:6	closest 40:21	coming 63:21	65:15 73:2	64:25
CBD 87:21	127:12	children 8:5	136:9 139:5	41:17	commenting	83:12 87:12	concentrated
CBDs 74:11	135:10	66:15	141:12,14	closing	50:9	87:20 88:7	57:19
74:18,20	challenge	children's	142:8,11	132:14	comments	88:21 142:6	concentrati...
CDL 29:25	27:20 37:13	86:4	city's 10:7	co-chair	3:21 14:23	communities	78:21 96:17
census 111:9	132:19	chose 53:10	20:13 30:17	40:10	23:6,9	81:24 82:5	96:18
Center	Chamber	53:10	31:6,10	136:14	53:24 57:6	community	concepts 84:7
118:22	19:24 24:10	chronic 85:9	32:16 34:5	cocaine 81:23	73:17 84:23	25:20 46:7	concern
centers 71:4	24:20 25:2	92:22	35:20	Code 1:15	86:22	47:23 84:11	19:16 25:10
cents 94:18	26:6 46:7	chronically	City-owned	2:20 8:3	121:15	84:12	25:13 66:14
certain 3:2,3	52:16 136:6	92:12	30:10	34:7	140:5	companies	81:13
34:11 69:18	chambers	104:13,19	Civic 24:9	Cohn 21:7	commerce	98:12 99:8	concerned
certainly	74:21 101:9	105:14	civil 1:3,18	38:16 58:14	19:25 24:10	99:13	64:9 76:9
63:13 89:10	chance 51:4	circulating	2:5 7:20	59:6,6	24:21	company	82:18 84:19
101:8	change 48:20	96:20	12:24 17:20	74:16 75:7	101:10	70:15 79:15	concerning
certainty	69:12	circumstance	34:5 41:7	88:25 95:10	136:7	87:13	115:13
129:24	113:13,16	75:19	46:5 47:24	95:12,19,23	commercial	compared	concerns
CERTIFIC...	127:15	citation	48:6 55:15	96:3,10	29:25	81:20	13:18 25:21
143:2	130:15	116:13,18	106:12	97:4 103:9	Commission	110:11	71:5 119:9
			118:19	103:22,24	20:15 33:13	112:7,11	

Committee on Labor and Civil Service
March 14, 2018

Page 4

concluded 142:17	131:3	consumes 120:11	convicted 108:3	Councilman 1:10,11,12	23:25 25:24	59:14	41:11
concludes 9:11 15:21	consequences 52:14 58:3	contact 135:5	123:19	1:13 2:12	26:4,11	136:11	data 110:9,23
142:11	84:20 138:3	contacted 133:12	125:9,11	2:13,15	32:23 38:13	crack 81:22	136:20
condition 34:13,20	138:25	contained 71:11 143:5	126:4 131:9	3:20,22,23	45:8 48:5	creams 65:25	database 110:10
89:11 134:8	140:23	contains 35:24	conviction 107:8	4:6 6:3,4	49:9 51:19	create 66:16	date 36:22
conditions 3:3 28:7	141:5	context 41:18	108:15,19	14:24,25	53:18,20,21	creation 6:20	108:19,20
34:12 49:5	15:23 45:18	73:22	109:11,14	15:8 16:2,4	56:13 59:16	63:7	dated 121:19
64:22 66:20	104:23	115:19	110:17,19	22:25 23:3	80:25 94:20	credit 138:7,8	daughter 123:8,12
66:22 81:5	116:3	124:15	111:18,25	23:13 49:10	95:25	crime 130:7	125:5
81:9 83:21	128:12	131:2	116:13,18	49:25 50:3	101:18	criminal 81:21 96:13	day 4:19,20
85:8,9,21	consideration 2:17 5:7 6:9	continue 15:15 25:20	124:2	51:20,21,22	102:5,9	108:4 127:2	8:18 13:23
86:15 87:17	46:4 93:17	27:18 37:13	130:23	52:7 53:19	103:24	137:5	48:20 49:2
88:18 89:8	considerati... 27:2 56:24	115:4	131:4,6	57:12,17	105:22	criminalized 55:3	49:7 53:7
90:16	57:3	continued 7:13	141:10	83:9 94:25	118:6	crisis 13:17	82:25 85:14
103:13	considered 17:17 29:17	continues 13:14	convictions 106:18	95:5,6,21	120:25	81:21	92:12,12
119:17	35:7 37:21	continuing 45:21,21	107:2,19	96:7,24	121:12	critical 25:15	99:22,23,24
122:15	39:12 46:14	contractors 28:18	109:8	98:3,17	124:3,21	53:6	104:13,14
125:7	117:25	contrast 35:23	110:12,14	100:2,22	126:7,10	criticism 67:4	132:8
137:19	122:23	control 69:22	112:8,10,17	101:15,19	127:9	cry 61:10	days 92:14,21
141:16	129:3	133:25	121:25	101:20,22	135:11	crying 135:22	92:21
conduct 29:6	129:3	143:23	124:4,7	101:25	140:18	current 8:2	120:11
36:16 83:11	conducting 98:24 141:7	controlled 35:5 42:5	125:18	102:6,8,10	counseled 40:2	43:24 62:15	DC 35:10
conducting 30:11	considers 25:8	56:3 60:6	copy 33:3	102:11	count 15:15	110:7	de 117:15
confidential 90:11	consistent 30:2 31:6	107:8 108:7	correct 96:11	103:20	131:25	country 7:13	dead 124:23
confined 70:8	99:11	108:11	124:12	105:20	counting 7:13	currently 8:9	deal 62:25
confirm 128:19	100:13	109:12	125:16	127:10,11	country 43:8	13:11 35:9	98:14
confirmation 76:14	constituenci... 52:4	111:22	127:20	128:25	45:5 64:5	43:23 52:23	dealer 128:18
conflict 27:15	constituency 57:20	115:24	143:8	129:6 130:3	county 134:7	65:24 66:2	dealing 54:8
conflicted 35:13	constituent 47:11 94:10	128:16	correctional 71:2	131:15	couple 66:20	98:15	56:9 63:14
conflicting 45:3 85:17	constituents 101:10	convene 48:3	correspondi... 110:18	134:19	110:8	129:12	73:20 77:4
Congress 27:19 45:5	constraints 27:24	convenience 24:18	cost 13:14	135:7,22	course 2:25	130:11,17	89:6,7 90:7
51:4 61:17	construction 70:11	convening 4:2	131:23	140:4,6	4:14 8:7	131:24	92:21
Connecticut 41:21 71:22	constructive 32:11	conversation 18:21 32:10	costs 7:2	Councilme... 6:3 9:8 13:4	13:10 22:3	133:3	138:23
72:6	construed 68:20 73:14	53:2	Council 1:2	52:18	32:14 69:8	134:22	deals 76:2,7
Connecticut's 42:7	consult 110:10	conversations 112:23	2:5 5:10	Councilmen 10:2	85:20	cut 75:8	76:13
connection 82:8	consume 114:4	convey 53:13	6:20 12:8	Councilper... 10:3	court 21:9	132:19	dealt 40:19
cons 18:20			16:8,10,17	Councilwo... 1:10,11,12	31:23 32:2	cut-off 92:3	42:12
consequence 53:6 117:6			16:19 17:6	2:2,14 3:4	36:20,22	cutoff 70:3	death 9:21
			17:8 22:7	3:12 5:12	37:6 40:25	cutting 45:13	deaths 10:23
			30:14,14	5:23 7:16	41:21 42:4	D	debate 18:20
			42:16 47:8	9:13 12:11	44:22 45:6	D 1:12	December 130:5
			67:23 78:24	12:19 14:14	72:25 73:2	DA's 50:14	decide 27:19
			81:14 89:2	14:22 15:19	73:3 114:2	106:4	33:4
			139:15	16:12,23	114:13,14	DACA 106:22	decided 37:2
			Council's 1:18 17:20	17:2,12	114:16,23	115:14	37:7 40:23
			142:12	18:3 20:24	courts 27:19	daily 18:14	41:20
				22:23 23:5	32:4 45:4	danger 8:17	93:13
				23:19,20,21	51:10 72:18	8:20	100:17
					cover 109:22	dare 82:18	decisions
					covered 28:22	Darlington	
					Cozen 20:25		

Committee on Labor and Civil Service
March 14, 2018

Page 5

36:20 52:10 72:5 decline 127:24 declined 127:22 decriminali... 54:23 dedication 12:3 deed 8:8 deeds 2:25 4:14 13:10 deemed 74:12 deeply 6:18 Defenders 133:14 deficits 79:19 define 103:2 103:3,17 defined 66:23 108:25 111:8 128:5 defines 107:4 definitely 129:25 definition 94:2,5 102:22 delivery 142:3 demographic 113:4,5 demonstrat... 6:19 denial 117:2 denies 37:18 DeNofa 3:9 5:16,16 6:2 6:6 deny 108:2,8 department 5:20 7:23 10:14,17 13:2 15:6 36:12 38:6 39:7 40:3 44:8 60:22 62:7,13,23 64:16,19 66:8,9 88:13,14 89:25	107:25 108:7 128:7 132:19 136:13 department's 134:15 departments 8:19 27:4 dependent 8:5,6 Depending 34:12 depends 44:5 44:10 depth 71:13 Deputy 10:19 describe 57:21 described 82:24 83:10 121:9 describing 125:2 deserve 14:4 designate 124:13 designated 125:6 designation 93:22 desire 116:4 desired 76:10 despite 86:15 destroyed 6:13 detail 62:22 detailed 43:14,15 details 21:4 detect 104:10 detection 76:13 detectives 2:24 4:13 13:9 determinati... 45:7 determine 22:2 31:2 43:19 52:7 79:16 96:19 97:11 98:2 determined	32:15 36:22 97:13 110:24 determining 89:11 develop 39:8 84:13 100:6 developing 20:6 39:13 46:24 139:8 development 139:21 developmen... 71:3 diagnosed 81:9 82:12 82:14,22 dialogue 32:11 died 10:17 difference 56:18 80:22 different 45:4 47:9 54:8 55:8 74:5 85:19 89:13 108:22 114:17 differentiate 79:9 differently 87:24 difficult 13:16 102:15 110:7 129:24 difficulties 102:16 direct 143:23 direction 39:24 58:4 103:19 directly 91:8 Director 10:19 26:17 34:2 58:17 136:8,9,25 disabilities 35:17 36:25 48:15,19 54:9 disability	34:16,20 37:11,19,21 38:3 48:10 48:12,25 55:17 disagree 45:14 disbursed 65:16 discern 110:8 124:8 discharge 28:3 41:4 93:14 disciplinary 31:14 discipline 36:14 69:7 69:9 76:7 disclose 30:18 discovered 110:22 discretion 70:14 108:9 109:15 discriminate 28:4 36:4 68:15 99:17 99:19 discriminat... 37:22 38:4 142:4 discuss 25:6 75:16 discussed 77:15 discussion 45:23 81:19 138:6 diseases 82:16 125:15 dismissal 42:9 44:25 dismissed 44:20 disorder 81:16 dispensaries 18:6 24:24 65:18 109:7 dispensary 65:13	107:23 109:19,24 110:2 117:24 124:16 dispensing 30:6 109:25 disposition 115:3 disproporti... 112:15 disqualified 126:21 disqualifies 126:25 disqualify 126:23 disseminated 89:22 dissipates 104:6 distinct 67:13 67:24 distinction 74:3 75:2 115:17 distinguish 77:19 120:10 distinguishi... 79:25 80:2 distribution 30:6 district 19:9 21:13 22:8 27:7 30:13 30:14 42:3 46:10 58:16 58:18 106:8 106:13,15 113:17 114:2 127:16,21 133:17 136:25 137:3,12 diversion 112:23 113:3,7,23 114:9,24 115:2 diversions 115:7	diversity 56:6 divert 115:11 diverting 108:11 do's 39:9 doctor 53:11 81:2 82:21 94:21 96:2 107:6,9 120:6 doctors 82:3 document 34:19 documentat... 97:15 documented 91:19 dog 50:15 dogs 57:18 doing 3:17 28:24 60:25 78:4 92:18 96:25 100:10 114:8 118:5 129:11 dollar 15:10 Domb 1:10 2:15 3:20 3:22,23 6:3 9:8 10:3 13:4 15:8 16:2,4 94:25 95:5 95:6,21 96:7,24 98:3 100:2 100:22 101:15 127:10,11 128:25 129:6 130:3 131:15 134:19 135:7,22 don'ts 39:9 door 75:5 dosage 125:10 dose 141:11 dozens 11:17 Dr 21:6 38:16 58:14 59:6	74:16 75:7 88:25 95:10 95:12,19,23 96:3,10 97:4 103:9 103:22,24 104:3 136:17 drastically 113:14 draw 75:15 drawing 78:5 97:7,8 draws 97:9 drivers 29:25 89:25 driving 29:18 86:4 96:12 96:14 109:23 117:22 dropped 104:21 drug 19:21 25:14 28:21 29:2,4,6,23 30:3 31:6 31:10,12 35:2,7,7 37:9,14,17 43:24 52:23 57:2 68:24 69:6,8 70:5 72:2,11 73:7 74:8 74:17 77:5 77:16 78:16 91:20 96:20 97:13 99:13 99:21,23 107:14 108:10 111:19 114:14,25 117:25 119:21 120:10 128:18 134:17 drug-free 28:14,16,23 62:24 69:5 77:13	drugs 108:6 108:12 109:12 128:20 DrugScan 59:7 136:18 dual-edged 114:11 due 19:20 27:15 31:13 138:8 Duly 16:11 duties 10:21 29:24 duty 9:24 10:17 11:8 11:12 12:6 31:24 36:23 131:5 E earlier 53:25 71:17 easier 11:19 50:23 easy 32:8 echo 53:24 55:11 Ed 3:8 5:21 edge 45:13 edible 66:16 edibles 66:15 66:15 educate 54:18 84:16 139:7 educating 28:25 education 83:23 educational 84:14 educators 82:4 Edward 9:16 effect 25:6 74:25 77:11 77:14 90:4 effective 51:2 effectively 37:18 effects 24:23 25:18 34:13 37:10 76:10 76:11 87:16
---	---	---	---	--	---	--	--

Committee on Labor and Civil Service
March 14, 2018

Page 6

effort 20:6 28:23 efforts 43:10 eight 63:8 76:21 Einstein 58:21 118:22 119:2 120:20 137:14 either 23:6 65:19 70:20 76:17,18 98:16 100:5 100:24 108:5 elected 47:15 electeds 45:10 electricity 69:19 73:23 102:25 eligible 123:23 emotional 13:17 emphasize 55:14,15 employ 119:21 employed 46:19 47:12 90:15,15 117:21 employee 19:20,21 28:5 29:14 29:22 31:3 34:19 36:5 36:10,14 37:7,17,18 41:5 48:25 67:20 68:5 69:7,9 73:10 75:18 77:17 89:3 90:9 91:23 93:10,18 99:14 104:25 109:17 119:4	120:15 employee's 28:8 31:25 36:6,16 employees 17:25 21:21 21:23 22:10 25:7,15 28:25 29:3 29:24 30:4 30:18 31:12 32:8,13 33:25 35:14 39:10,15,16 43:16 46:18 54:19,25 68:2,25 71:24 84:3 84:21 86:13 89:20 109:21 119:10 120:12,13 120:14,17 121:3 140:25 employer 19:19 25:19 27:21 28:3 29:8 30:25 31:18,24 36:2,8,14 37:14,15 68:21 69:3 72:22 75:18 89:4,9,22 90:25 91:6 91:6,15 93:8,12 97:21,22 104:22 105:5 employer's 28:6 29:2 37:3 41:4 employer-e... 138:18 employers 17:25 20:8 21:20 25:7 26:24 29:6 29:9,23 33:24 35:14	54:19,25 70:13 71:2 84:20 119:10 121:3 140:25 employers' 86:10 employment 19:17 20:9 26:23 27:17 31:21 40:13 44:21,24 54:4 65:6 66:21 107:5 107:18 108:25 118:4 136:12 138:16 139:2,22 enacted 35:10 122:13 encouraging 123:3 ended 113:18 enforced 51:17 53:5 enforcement 14:4 42:7 106:21 enforces 34:4 enforcing 51:12 England 71:21 enhanced 68:9 71:4 entered 33:9 entering 107:10 entities 28:22 entitled 1:15 2:20 environment 35:14 79:18 environments 82:7 epic 81:23 epilepsy 85:12 equally 9:4 equate 120:9	Equity 133:13 error 77:23 especially 36:11 71:20 essential 34:18 essentially 78:18 108:13 109:9 establish 34:19 established 39:5 94:13 estimate 134:21 evaluating 89:9 event 80:13 events 67:2 evidence 143:4 evolved 43:5 evolving 42:25 exact 79:4 130:7 exactly 63:23 exam 104:24 examine 33:23 Examiner's 76:20 example 29:16 31:8 49:14 69:20 91:3 99:12 100:3 114:19 119:12 excellent 85:3 133:10 exceptions 61:3 excited 135:23 exclusively 42:19 excuse 22:23 24:16 95:25 101:20 134:7	Executive 34:2 118:23 136:9 exercise 55:21 exist 78:15 existing 99:25 134:10 expanding 114:9 expense 97:6 experience 49:13 99:10 experienced 82:9 experiences 50:19 expert 21:8 explain 67:22 74:3 122:11 127:18 explaining 99:6 explore 21:22 exponentially 111:21 expressed 25:10,14 expressing 23:22 expunge 121:24 expunged 131:20 expungement 133:16,20 137:5 externalities 139:4 extremely 21:15 55:20 57:25 81:17 eye 103:25 F Fabrics 41:11 face 8:17 136:22 137:4 facilities 71:3 facing 49:6 fact 27:15 36:25 39:9 57:15 84:2	92:6 97:7 112:17 113:2 132:5 fact-gatheri... 83:11 facto 117:15 factor 55:10 104:22 facts 33:9 fail 72:11 77:18,24 failed 72:2 failing 37:17 69:8 77:16 Fair 34:6 35:20 38:2 55:14 fall 34:14 fallen 4:16 5:4 67:25 falling 61:11 105:13 falls 36:17 68:10 71:18 familiar 43:12 136:22 families 5:3 7:8,10,12 8:23,23 9:5 11:2,15 13:20 49:8 family 1:16 2:22 4:11 6:12,14,25 13:7,16 14:3 15:13 35:18 83:4 far 94:19 99:5 112:8 Farr 62:3 faster 104:7 fat 92:18 fat-soluble 78:16 father 48:14 49:13 57:22 fathers 122:21 favor 16:20 23:14 32:3 37:7 favorable	16:7,15 17:5 fear 8:15,21 40:4 February 113:18 121:19 127:17,21 130:7,9 federal 25:8 25:12 27:14 27:16,18,24 28:11,12,17 28:17,20 30:2 32:5,7 32:17 34:16 35:4,16 36:12,20,22 41:2,21 42:5,21 44:13 50:22 51:3,7,16 52:8 54:17 56:18,22 57:2,14 60:3,14 61:24 62:6 62:11,17,21 64:8 68:22 68:24 69:4 77:12 78:12 78:22 80:23 89:17 116:10 117:24 134:6 federal-state 115:17 feel 5:24 11:12 23:12 33:6 105:2 feeling 105:16 fellow 4:16,17 6:16 11:8 15:5 felt 25:19 fervently 135:15 field 117:22 fifty 132:22 figure 53:13 133:14	142:2 fill 74:16 filled 125:13 final 45:7 finalized 87:8 financial 6:22 13:18 109:18 110:2 find 51:10 72:9 122:8 130:10 132:11 finding 51:6 51:14 93:2 97:23 findings 91:8 92:25 fingerprint 128:9 fire 8:19 10:14,20 12:19,25 15:6 99:23 firearm 115:25 116:3,7 Firearms 115:22 fired 37:8 firefighter 8:6 firefighters 2:23 4:12 5:22 8:17 9:2,18 11:17 13:8 13:21 firing 73:6 firm 40:9 98:18 99:11 firm's 59:15 firms 45:13 98:16 100:5 100:25,25 101:9 123:6 first 3:5,13,24 5:9 10:18 12:2 15:4,7 16:9,17 17:7 19:24 22:18 32:2
---	---	---	---	--	---	---	--

Committee on Labor and Civil Service
March 14, 2018

Page 7

52:12 56:16	foreign 76:4	free 5:24	42:13 58:13	51:10 53:4	Governor	49:15 83:6	happy 9:12
59:18 64:13	76:15	23:12 28:21	59:13 62:21	53:7,24	34:8	85:16	14:8 32:21
67:21 68:4	foremost	33:6 114:14	84:24	54:14 58:13	graded	guide 39:20	38:11 83:19
69:2 85:22	52:12 85:22	130:14	136:11	58:15 59:22	130:24	47:3 84:13	101:5
106:25	110:9	Freight 77:4	get-out-of-j...	62:7,14	grams 128:5	98:11 101:4	hard 54:4
107:6 110:9	forensic 21:7	frequently	65:9	63:14 64:10	129:5	139:25	Harris 58:20
123:25	59:7 75:23	21:8	getting 45:3	67:10 70:25	grant 28:17	guided 49:22	106:5
133:10	76:11,24	fringe 131:24	86:12 87:22	72:8,9,18	109:16	guideline	118:17,20
first-of-its-...	136:18	front 53:9	108:17	72:19 73:3	129:10	98:14	121:21
37:5	foresee 44:2	full 21:19	131:18	78:14 79:10	grappling	guidelines	122:3
fit 48:22	form 27:13	55:5 131:2	give 3:19 6:15	79:21 80:3	43:8	77:6,12,13	137:13
71:22	35:11 66:2	fullest 56:8	30:25 43:17	80:10 87:8	gray 52:10	78:12,22,25	Harrisburg
five 43:2 54:3	81:11 84:8	fully 8:11	59:21 70:13	87:13 88:9	great 33:19	80:23 89:18	46:2
74:20 77:11	84:9	19:4 49:4	74:24 98:13	89:12 90:14	102:16	129:22	head 20:20
104:11	formal 46:14	56:21 143:5	99:4,22	90:18 92:7	129:11	139:21	60:2
108:5,16,18	56:23 75:10	function	106:5	92:10,11,23	Greater	gun 82:6,10	heal 5:3
108:19,20	139:8	30:21 82:25	118:13	94:22 103:4	24:10,21	135:18,19	health 34:13
111:17	formalized	83:3	130:25	104:19,23	greatly	guys 38:18	38:6 39:16
112:19	49:23	fund 62:7	134:20	105:6,7,17	140:16	Gym 1:11	54:24 55:2
119:16	formally	funding	138:7	113:7,23,24	green 128:22	23:5,20,21	55:18 64:17
120:11	24:12 38:20	13:19	given 46:3	115:9	grew 81:24	53:20,21	64:19 66:8
123:17	57:3 59:2	funds 7:7	94:2,5 99:9	118:10	grief 5:3		66:10 81:21
126:5	formatted	funeral 10:23	gives 39:20	120:12,13	grief-stricken	H	88:13,14
132:21	53:3	funerals	79:23	122:19	6:25	half 80:10	122:24
five-year	forms 65:23	10:22	giving 7:22	130:17	grieving	Hall 1:6	healthcare
111:13	114:25	further 16:7	33:22 48:16	132:11	13:20	hammer	35:3 55:18
fixed 7:4	formulate	16:16 22:5	69:3 86:13	golden 123:5	ground 83:17	51:16	hear 2:7
fixing 69:24	101:4	57:11 76:9	103:25	good 2:2 6:2	grounds	Hampshire	17:14 19:24
flag 83:22	forth 8:3	76:12	glad 15:17	7:18 9:15	118:2	63:9	20:12 21:6
138:23	fortune 10:12	future 7:8	glaucoma	12:22 24:6	group 40:11	hand 20:9,10	46:9,10
141:3	forward 4:7		85:12	26:2,16	48:6 59:12	handbooks	49:10 57:5
fluids 76:16	23:24 38:16	G	go 15:22 48:3	50:19 59:20	59:15 68:4	99:15	87:7 92:13
76:16	43:10 46:4	gap 74:16	49:2,7	65:7 85:10	68:6,8	handful	118:7
focus 75:15	58:20 61:6	103:7	59:22 63:4	98:6 111:10	86:17 112:9	40:17,18	135:14
89:5 110:13	83:13,25	gaps 99:18	72:9 81:4,6	119:23	113:2,2	handle 10:21	137:17,20
140:22	133:18	gather 111:5	82:24 85:13	125:20	groupings	69:17	heard 15:24
focused 99:12	140:2	gem 11:9	88:25 94:11	good-faith	67:24	106:21	52:3,16
focusing	142:10	general 18:23	113:24	28:23	groups 85:19	119:10	68:23 77:15
69:14	found 31:23	22:5 32:18	121:15	gosh 118:6	grow 110:4	handling	98:8 135:21
follow 111:7	44:21 81:18	51:24 57:7	123:4	governing	111:20	125:24	136:20
follow-up	111:18	61:8,18	124:15	34:21	grower	hands-off	hearing 2:3,4
24:19	140:11	88:5 122:13	125:12	government	109:19	60:15	2:7 15:22
followed	four 119:16	123:2	132:10	20:11 22:15	117:23	happen 20:11	17:14 18:16
115:21	129:19	generally	136:2	25:8 28:20	growers	48:23 64:10	18:17,19
following	137:23	29:13 74:12	goal 21:18	47:20,22	109:4	123:17	19:2,23
25:3	Fox 40:9	133:21	22:10	50:22 51:8	growing	135:4	20:4 21:12
follows 11:20	59:10	generosity	goes 68:19	52:9 57:14	55:24	happened	21:13,18
60:21	120:21	6:19 7:5,9	90:20 91:9	58:17 60:14	Guam 19:8	38:8 45:2	22:10 23:7
FOP 5:17	136:14	gentleman	111:17	61:24 62:6	63:18	69:12	51:5 52:17
force 119:4	frame 100:12	136:20	going 19:24	64:8 137:2	guess 59:18	happens 19:2	53:23 82:2
forced 82:24	frankly 39:15	gentlemen	20:12 38:15	141:23	100:22	48:24 80:22	101:24
foregoing	Fraternal 6:7	58:25	38:23 46:9	government's	guidance	80:23	121:2 125:4
143:7,20	6:17	George 20:22	49:10 51:6	56:22	39:23 47:18	happier	132:6
		20:22 38:15				48:20	

Committee on Labor and Civil Service
March 14, 2018

Page 8

135:21	high-voltage	40:7,8 59:9	111:3	133:23	including	73:19,21	44:15
138:5	69:19 73:23	59:9,20	119:15	implemented	35:17	74:22 75:6	134:14
139:24	higher 94:16	73:16 86:20	126:10	19:4 53:4	incorporated	80:19 86:3	interests 86:8
142:11	104:15	86:21 95:11	129:17	implications	59:8 127:25	93:22 94:6	86:10
hearings 1:18	highest 23:15	99:10 100:9	131:7,10	21:5,19	increase 6:10	94:7 96:12	interfere
17:21	highlight	101:5,17	identifying	70:10	7:6 9:21	102:21,23	44:24
heart 20:21	55:14 59:23	102:20	70:14 133:2	imply 117:16	10:6 13:6	103:2,18	Interim 58:16
heavy 103:11	73:11	126:8,12,12	illegal 34:23	important	23:14 115:6	105:3	136:25
heights 70:9	highly 57:19	136:13	108:12	4:9 9:4 14:7	117:7	119:25	International
held 42:4	60:9 67:8	horrific 15:13	109:12	21:16 31:16	increased	inform 83:24	9:17 77:7
Helen 1:11	81:12 141:6	horse 124:23	illegally	32:10 40:24	13:12,18	139:7,9	interpret
23:5	hire 19:19	hospital	125:25	41:8 49:21	increases	information	89:8
help 13:15	28:4 36:3	58:21 87:14	illnesses 54:9	52:2 53:23	4:10,22,24	20:19 22:12	interpretati...
20:5 47:17	93:15 99:22	137:14	55:8	54:12 55:13	increasing	24:22 89:21	76:15
55:4 77:22	hiring 72:22	hospitals	imagine 54:5	56:5 57:25	1:16 2:21	97:3 100:24	100:14
83:8 84:13	119:21,22	87:11	107:12	60:11 63:25	8:11,12	110:11	116:11
85:7,16	Hispanic	119:20	immediate	65:5,11,17	indebted 15:8	111:10	interpreting
99:3 101:4	111:11	hour 120:11	4:11	66:20 70:10	indicate 96:6	112:14	77:23
115:4	historically	hours 30:9	immediately	71:12 74:3	96:8	124:10	interviews
122:11	113:11	104:11	105:9	75:2 81:2	indicated	134:25	93:3
132:25	history	120:5	immigrant	81:17 87:3	35:24	135:3	introduced
helpful 38:22	108:10	HR 39:7	117:4	104:22	indiscrimin...	informative	121:23
48:7 86:18	hit 60:2	52:17	immigrants	106:14	97:10	140:12	invaluable
helping 86:19	hold 1:18	hue 61:10	106:23	110:21	individual	informed	4:8
133:2	17:21 25:4	human 15:11	115:15	115:16	28:9 34:24	22:11	investigate
139:25	109:9	20:13,14	116:16	118:11	43:24 44:4	infrastruct...	37:25
helps 6:23	holders	22:13 25:5	immigration	importantly	91:11,11	88:21	inviting 14:6
hemp 40:14	106:22	26:18 33:12	115:13,18	42:4 85:18	93:3,21	initial 18:9	106:12
48:16	115:14	33:13 34:3	115:19	imprecision	99:7 105:8	injects 138:17	involve 29:18
136:17	holding	35:19 39:6	116:22	138:15	109:17	input 4:7	Island 40:23
Henon 1:11	105:25	44:7 45:17	117:8	improper	124:14	insomnia	40:25 41:14
2:12 6:4 9:9	120:25	45:18 47:24	impact 17:25	42:9	128:24	67:7	71:22 72:6
10:4 13:5	holds 44:6	50:11,12	21:16 26:23	improve 22:5	individuals	instance	Island's 41:3
51:21,22	home 39:16	85:5 136:8	27:3 33:24	improved	11:6 44:20	34:18 73:19	issue 19:16
53:19	122:24	136:10	84:20	131:19	68:14 69:23	89:20,23	20:8 40:6
Hero 1:16	123:4,5,6,9	hypotheticals	112:15	in-depth	71:5 85:15	91:4 109:7	50:7 54:15
2:21 4:23	homebound	121:8	113:13	98:23	92:8 106:17	129:23	56:6,20
7:25 8:2	125:20	I	121:3	in-service	107:24	institute	57:8,12
13:11	homes 122:20	ICU 58:21	140:25	80:16 91:23	131:8,11	29:10	62:20 74:15
heroes 4:16	honor 12:13	ID 91:12	impacted	93:20	133:15	institutions	81:15 86:19
5:4 6:10,20	14:2 15:12	idea 90:25	82:23 134:5	inactive	134:12	119:20	86:22 91:17
6:23 8:24	hope 18:11	ideas 84:7	138:2 141:9	78:11,20	industries	Intelligencer	98:15 100:7
10:7 11:14	20:4 32:10	identification	impaired	80:7	82:17	138:11	103:8
23:11	48:22 50:10	65:4 93:6	49:4 72:13	include	industry	intend 44:24	114:20,22
heroic 2:25	87:18	97:16	impairment	107:14	22:14 70:11	intensive	128:8
4:14 8:8	105:25	104:18	79:17 96:8	109:4,18	77:9 83:7,7	118:21	138:24
13:10	113:13	105:15	96:21 98:2	111:22	102:24	intent 52:13	139:14
hey 98:25	115:4 124:9	110:23	120:9	114:10	106:20	interacts	issues 19:18
hiccups 18:9	128:7	identified	imperative	126:19	107:3,5	52:24	54:20,24
high 35:7	hopefully 5:4	31:9 133:11	121:6	included	137:8,25	interest 85:24	55:2 56:9
49:3 74:25	87:6	identify 5:15	18:10 19:3	33:11	138:2 139:2	interested	62:25 71:9
82:5 87:22	hoping 81:3	24:4 59:2	19:12	includes	influence	14:19 85:19	84:17 99:16
103:14,15	Horn 21:2	110:13		117:2	36:15 69:10	interesting	114:18

Committee on Labor and Civil Service
March 14, 2018

Page 9

137:5	18:5 26:6	45:1 46:1	laboratory	35:9 36:12	legality	40:4	42:23 62:12
J	33:6 45:9	47:1 48:1	91:9	44:13 61:7	130:13	liberal 67:8	110:6,12
J 1:12	46:9 47:8	49:1 50:1	Lady 140:8,8	62:21 63:2	legalization	liberalism	129:23
jail 134:7	57:9 72:25	51:1 52:1	laid 98:18	69:5 71:20	1:19 17:22	63:24	133:17
James 60:18	75:8 82:14	53:1 54:1	Landau	lawyer 138:9	26:21 45:24	liberties	live 61:13
January	85:25 90:5	55:1 56:1	22:20 33:19	138:13	legalize 43:10	55:16	123:5
11:24 61:7	98:21	57:1 58:1	34:2 45:16	Lawyers	44:19	license 29:25	139:10
113:13	100:25	59:1 60:1	48:4,8	133:13	legalized	87:5,6,10	liver 92:18
127:17	101:8,12	61:1 62:1	136:9	leach 104:9	27:11 39:2	87:25	lives 4:19
129:18	105:5,6	63:1 64:1	Lane 81:25	lead 20:5	54:6 116:24	108:17	6:16 11:18
job 41:25	119:18	65:1 66:1	language	32:11 85:10	117:11	116:2	13:23
47:15 70:16	120:7,19	67:1 68:1	128:17	127:23	legalizing	licensed	living 13:14
72:14 75:4	124:22	69:1 70:1	138:16	Leader 2:12	27:8	32:15 35:3	49:7 61:4
117:22	125:3	71:1 72:1	large 109:2	leaders 11:13	legally 37:23	65:13,21	82:20
jobs 25:16	129:21	73:1 74:1	largest 112:9	leadership	39:25 46:15	licensee 65:20	116:16
John 6:5	130:13	75:1 76:1	late 129:18	4:2 15:9	legislation 4:5	licensing	local 5:21
138:12	135:6,22	77:1 78:1	law 14:4	leaf 66:3,10	4:10,22	107:13	9:17 34:17
join 38:17	137:4,22	79:1 80:1	24:23 25:6	leafy 128:22	14:8 19:13	lieu 128:8	34:17 43:21
joined 27:6	140:10,13	81:1 82:1	25:12 27:20	learn 139:9	25:3,19	Lieutenant	47:21 84:9
Jordan	141:19	83:1 84:1	27:24 28:11	learned 95:16	35:11,16	11:22 14:12	119:2
121:21	known 11:17	85:1 86:1	32:5,7,17	learning	42:20 58:17	life 10:9,11	location 28:7
Josh 21:2	60:19 62:2	87:1 88:1	34:17,21	50:19	137:2	15:11	65:20
71:16	66:3 74:7	89:1 90:1	35:5,23	leased 30:10	legislative	life-ending	long 51:17
Joshua 38:16	74:23	91:1 92:1	38:8 40:3,8	leave 24:16	20:7 121:22	67:2	54:21 60:25
40:8 58:14	knows 64:25	93:1 94:1	40:10,13,14	26:7 35:18	legislatively	life-threate...	72:12 90:5
59:9 86:21	Krasner	95:1 96:1	41:2,7 42:8	46:22 94:24	63:10	70:19	104:5
126:12	137:12	97:1 98:1	44:24 45:20	leaves 26:8	legislature	lift 69:24	134:19
136:13	L	99:1 100:1	51:13 54:4	leaving 51:9	27:6 51:2	light 43:9	137:4,8
judges	L 1:10 143:14	101:1 102:1	56:18,19	Lee 58:15	75:4 93:25	53:2 69:12	longer 61:21
100:17	labor 1:3,18	103:1 104:1	57:10 59:12	106:4,8,10	102:18	131:23	91:17 92:16
July 37:4	2:1,5 3:1	105:1 106:1	59:15 61:17	123:25	legislature's	limit 26:25	92:24 93:12
June 77:14	4:1 5:1 6:1	106:11	67:20 68:22	124:5	43:9	109:13	93:15
jury 131:5	7:1,20 8:1	107:1 108:1	70:2,6,13	125:16	legitimate	limitations	104:14
justice 60:22	9:1 10:1	109:1 110:1	73:9 86:7	127:13,20	91:18 93:4	127:7	110:13
62:8,13	11:1 10:1	111:1 112:1	86:11 98:20	129:4,16	97:18	limited 68:7	look 54:14
137:6	11:1 12:1	113:1 114:1	101:9,11	130:16	lens 83:13	68:13 71:19	66:24 80:5
K	12:23 13:1	115:1 116:1	102:14	133:9	let's 64:12	line 4:19 9:23	100:10,11
kamikaze	14:1 15:1	117:1 118:1	106:21	134:24	91:3 117:22	10:17 12:5	101:6,8
81:22	16:1 17:1	118:19	116:10	136:21	LeTourneau	86:6	105:10
keep 52:12	17:20 18:1	119:1,3	117:24	137:7 141:2	11:23 14:12	line-of-duty	110:11
56:5	19:1 20:1	120:1 121:1	122:13,17	left 2:11 11:3	letter 24:12	10:22	127:3
key 41:11	21:1,15	122:1 123:1	125:24	11:15 14:3	letting 51:14	lines 98:25	129:25
55:10	22:1 23:1	124:1 125:1	136:14	legal 19:14,18	level 5:5 7:9	liquids 65:25	135:4
killed 2:24	24:1 25:1	126:1 127:1	138:4	21:5 22:14	42:21,22	listed 119:17	142:10
4:13 8:7	26:1 27:1	128:1 129:1	139:11	33:7 35:13	43:21 60:4	122:15	looked 88:24
9:23 13:9	28:1 29:1	130:1 131:1	140:24	37:12 46:7	62:17 71:13	125:8,15	104:25
kind 51:8,14	30:1 31:1	132:1 133:1	law's 21:16	47:23 54:15	80:4 84:9	Listen 135:11	111:13
62:10 63:4	32:1 33:1	134:1 135:1	25:4	57:16 83:7	96:20	listening	looking 55:22
73:8 77:24	33:21 34:1	136:1,12	lawful 116:20	84:11 85:17	103:14	49:16	56:3 78:9
kinds 86:6	35:1 36:1	137:1 138:1	118:3	89:14 92:7	levels 92:3,3	literally 21:3	78:10,19
know 8:2	37:1 38:1	139:1,18	laws 19:9	138:11	104:15,21	litigation	80:6 83:6
10:5,13,25	39:1 40:1	140:1 141:1	27:16 28:12	142:6	105:12	138:20	91:24 92:17
	41:1 42:1	142:1,12,16	30:2 34:5	legalities 90:6	liability 40:2	little 11:4	92:19
	43:1 44:1						

Committee on Labor and Civil Service
March 14, 2018

Page 10

111:18,23	85:16	71:6,25	marijuana's	17:22,24	104:17	137:15	122:10
130:20	mandated	72:10,15,21	17:24 33:24	18:5,12,21	105:15	members	136:21
134:11	79:14	72:23 74:4	121:2	19:3,13,17	106:19,24	1:16 2:10	137:7
looks 9:21	mandates	75:17 78:8	marijuana-...	19:21 21:4	107:2,16	2:22 4:12	milliliter 79:7
51:5	68:24	78:9,19	112:11,22	21:20,25	108:14,25	6:14 7:11	94:8,10
lose 8:25	mandatory	79:5 81:11	113:6	22:6 26:22	109:3,4,5,6	7:19 9:22	million 132:2
loss 11:22	29:6 37:17	86:3 90:12	114:10	27:21,23,25	109:20,25	10:16 12:9	132:5,20,21
14:2,11	99:21	91:5,12,25	Marks 3:8	28:10 30:24	110:3	12:23 13:7	132:22
15:13	manifestati...	92:6,9,14	5:21,21	31:4,17,19	115:15	13:16 14:3	mimic 89:17
lost 11:18	80:15	92:23 93:6	9:15,16	31:25 32:7	116:4,6	15:5 24:7	mind 23:16
lot 10:16	manufacture	97:16,19	married	32:14,16	117:15,21	24:14 25:21	52:12 69:21
40:16 50:23	30:5	104:17	139:14	33:23 34:9	118:21,22	33:20 38:21	141:25
52:10 54:13	March 1:7	105:15	Massachus...	34:10,14,20	119:6,7,11	47:7 94:24	minute 83:23
54:17 60:3	marching	106:18,20	31:23 37:6	34:25 35:8	119:14,17	118:18	minutes
66:14 67:2	135:20	106:24	71:21 72:6	35:12,18	119:23	119:12,19	74:20
92:16 134:4	Maria 1:12	107:3,17,19	Master 77:3	36:7,9,15	120:2,3,4	135:12	mirrored
loud 135:14	2:14	107:22	Matt 11:22	36:23 39:2	120:15,17	139:18	41:14
loved 11:2	marijuana	108:15	14:12	39:10 40:14	121:2,5,25	Memo 61:15	misdemeanor
12:4	1:19 17:23	109:2,3,5,6	matter 15:12	41:3,5,6,16	122:5,15	memoranda	114:6
lower 39:19	18:6,12,21	109:6,20,25	55:6 57:15	42:10 43:11	125:7,19	60:17,20,21	130:24
	19:3,11,13	110:3,4	80:11	44:2,19	126:24	men 8:18,22	131:3
M	19:17,22	111:19,23	104:20	45:25 46:25	134:16	112:9,12,16	ML 79:4,7
MacArthur	21:5,20	111:25	105:17	57:23 60:13	136:16	112:21,25	MMA 34:23
129:10	22:2,6	112:3,6,6	106:15	60:24 61:11	137:19,20	113:9	35:22
machinery	24:24 25:9	112:16	143:7	62:9 63:18	137:25	123:18	model 71:22
25:17 29:19	26:22 27:9	113:19,22	matters 26:24	64:4,6,14	138:15	mental 55:18	molecule
30:22	27:12,13,23	114:4,13,21	27:17	64:22,23	140:24	mentioned	91:25
Madam 3:24	28:2,10	114:24	Matthew 3:8	65:12,23	141:16	75:14	moment 9:25
5:11 15:2	30:25 31:5	115:8,16	5:19 9:14	66:7,19	medically	123:22	55:21 69:14
16:5 50:4	31:17,20,25	116:5,6,14	Mayor	67:5 68:3	91:18	mere 120:7	75:23
51:23 53:22	34:9,11,14	116:18,23	132:23	68:16,17	116:25	merely 78:5	120:22
95:7 98:9	34:23,25	117:9,12,16	maze 142:2	69:16 70:4	117:12	90:11	moments
105:20	35:6,9,12	117:17,21	McCreary	70:7,17	medication	message	108:22
127:12	36:7,10,16	117:23	138:12	71:6,25	90:3 142:5	124:24	money 4:10
135:10	36:24 37:9	119:8,11,14	McNesby 6:5	72:10,15,21	medications	met 138:9	5:2 6:11
main 59:24	37:13 39:2	120:4,5,14	mean 43:23	72:23 75:16	30:19,23	metabolite	8:24 61:23
maintain	39:10 40:14	120:15,18	50:15 54:11	76:2,6,20	medicinal	78:9,11	62:12
28:23 32:18	41:3,5,7,16	121:5,25	61:22 75:6	79:5 81:5,9	19:10 24:24	92:2 120:8	132:17
Majority	42:3,8,10	122:5,18	79:8 92:13	81:11 82:3	27:8 57:22	methods	monitor
2:12	43:11 44:2	123:21	99:24	83:7,20	119:7	66:13	25:20
making 3:2	44:4,19,22	124:19	102:21	84:12 86:3	122:17	104:10	month 129:19
21:10 49:3	45:25 46:25	125:19,25	118:10	87:16,17	medicinally	MICHELE	132:9
52:9 60:22	54:6 57:23	126:5,24	meaning	88:18 89:8	37:10	143:14	monthly 8:13
82:8 83:10	60:24 61:12	127:23	108:8	89:21,25	medicine	microphone	months 18:7
85:24 86:10	62:9 63:11	128:4,15,23	means 60:8	90:10,12,21	84:18	96:2	38:8 130:18
93:16	63:11,19	129:21	73:21 77:24	90:24 91:9	107:14	microphones	morning 2:3
113:20	64:4,6,14	130:23	100:18	91:12,14	meeting	95:4	4:3 6:2 7:18
128:9	64:23 65:13	131:6 134:3	103:18	92:6,23	15:23	mid 60:13	9:15 12:22
139:19	65:24 66:5	134:5,10,16	143:22	93:2,6,16	member 6:12	77:10	24:6,11
manage 55:8	66:8 67:5	136:16	measurement	94:11,14	18:24 58:22	midst 82:25	26:2,16
56:7	68:3,16,17	137:20	76:14	97:15,15,19	59:14 81:13	Mike 58:15	mortem
Management	69:16 70:4	138:15	meat 18:15	97:21	118:23	106:4,8	76:22
20:16	70:7,18	140:24	medical 1:19	103:12	136:11,15	121:14	mothers
managing							

Committee on Labor and Civil Service
March 14, 2018

Page 11

122:21 motion 16:2 16:21 17:3 133:19 motor 30:22 96:14,15 move 16:5,7 38:17 43:10 46:4 58:3,7 83:25 95:2 95:3 139:25 moved 16:13 16:16 moves 57:11 83:13 moving 23:24 39:25 114:24 MRO 91:14 mulling 50:18 57:10 multiple 36:25 124:6 municipal 54:16 municipality 39:8 53:15 murky 62:12 MURPHY 143:14	80:20,21 94:7,8 103:4 105:5 narcotics 108:6 109:12 nation 56:11 national 64:2 77:3 135:18 naturalizati... 117:3 nature 69:23 83:15 90:22 navigate 86:19 NBC10 121:20 122:4 near 141:19 necessarily 86:5 123:4 126:22 128:14 134:9 necessary 49:15 need 42:25 52:21 55:3 73:5 75:21 84:9 85:16 85:21 88:15 88:16,19 99:3 115:5 119:8 132:24 139:4 needed 24:15 138:5 needless 138:17 needs 15:16 27:22 32:8 48:10 55:18 74:4 132:23 141:8 negative 90:23 91:15 91:16 93:8 97:21,23 141:4 negotiated 30:13 52:21 neighborho...	82:20 nephew 123:8 123:13 never 8:24 11:18 91:15 91:16 105:6 117:4 119:24 131:25 138:9 Nevertheless 6:17 new 34:21 37:12 63:9 71:21 98:25 131:20 133:5 134:9 139:11 nice 75:4 Nick 3:9 5:16 6:6 7:17 niece 123:8 123:13 nine 63:5 nitty-gritty 21:4 no-brainer 94:12 Noffsinger 41:22 non-CDL 31:11 non-federally 89:19 non-invasive 78:3 non-uniform 30:4 31:9 non-water 104:7 normally 36:17 notably 27:10 note 20:18 22:24 31:16 32:25 44:15 48:14 49:11 56:17 122:6 135:13 137:10,21 140:21 noted 29:7 37:4 121:16	notes 143:6 notifications 101:13 notified 75:12 91:6,8 101:10 notify 89:25 130:21 notifying 29:3 notwithstan... 62:15 63:2 64:7 nuclear 69:22 number 67:13 68:23 71:9 72:4 85:19 99:16 115:7 132:12 numbers 111:20 112:18 Nunez 22:19 24:6,8 136:6 nurse 58:21 118:21 137:14 nurses 58:23 118:25 119:2,15 119:16,24 nursing 123:4 137:25	obligated 38:7 obtaining 78:5 obvious 56:20 Obviously 48:21 occur 132:25 occurred 27:18 108:4 110:17 offense 108:4 108:20 112:2,11 offenses 112:22 114:6,11,13 114:24 124:9 128:2 128:10 offer 25:13 41:25 73:8 offered 7:6 58:12 112:24 office 20:14 20:15 21:14 22:9 26:18 44:7 46:11 50:14 58:19 76:21 106:4 106:9,13,16 113:17 127:16,21 128:12 133:18 135:5 137:4 officer 8:7 90:21,24 91:10,14 93:2 94:12 94:14 97:22 110:25 111:2,6 128:11 officers 2:23 4:12 8:15 9:7 13:8 39:18 109:20 117:8 official 47:16 officially	38:19 offset 37:10 offsetting 49:5 Oftentimes 19:18 Oh 9:9 13:5 118:6 oil 48:16 oils 65:25 okay 26:11 50:24 69:6 75:7 98:3 101:15 old 48:21 109:14 130:5 Omnibus 28:15 29:21 once 10:2 11:16 104:16 116:5 one's 120:8 ones 11:3 12:4 ongoing 28:22 85:4 88:22 130:18 online 63:21 63:23 open 18:4 65:21 open-ended 100:19 102:14 opened 18:6 75:5 operate 30:21 69:19 96:15 operating 30:10 41:24 69:21,24 102:24 operation 112:5 operations 27:4 opinion 7:24 78:23 96:25 100:16 102:17	opioid 114:20 opioids 81:19 81:20 opportune 55:20 opportunities 86:14 opportunity 7:23 32:9 32:20 33:22 37:19 38:10 42:17 130:19 oppose 133:20 opposed 16:24 66:12 optimistic 88:4 option 53:9 options 141:22 order 2:4 6:7 6:17 44:23 48:11 49:6 128:18 ordinance 1:15 34:6 35:20 38:2 55:15 ordinances 42:23 43:14 Oregon 27:11 32:4 44:17 45:2 organization 109:16 110:3 120:19 organizations 109:3 organized 21:15 77:8 original 7:3 originally 62:2 ought 55:2 outcome 85:11 outside 135:20 outward 80:14	overcome 48:25 overlap 19:16 106:7 overlay 62:11 overnight 67:7 overstepped 75:9 overturn 94:16 overwhelmi... 18:23 owners 84:4
P							
							p.m 142:17 pain 48:18 67:11 74:14 painful 37:10 palliative 67:11 74:13 panel 3:5,13 5:14 15:4 22:18,24 33:14,16 38:17,19 41:12 56:16 58:7,10,11 58:12 59:3 69:22 75:13 85:4 86:18 94:21 106:3 124:25 127:3 135:12 panelists 54:2 panels 33:2 paper 98:18 Paramedics 9:18 parameters 98:19 paraphrase 60:8 parents 8:6 Parker 1:10 2:2 3:4,12 3:25 5:12 5:23 6:4 7:16,19 9:9 9:13 10:4 12:11,22 13:5 14:14

Committee on Labor and Civil Service
March 14, 2018

Page 12

16:12,23	particularly	68:10 69:15	11:7 37:14	75:17	126:8,14	52:22 69:6	116:23
17:2,12	6:14 34:5	69:17 71:12	performed	petitions	picked 112:4	99:13,14	117:5 126:5
18:3 20:24	39:18 45:16	71:17 72:17	79:11 91:22	130:20	picker 86:5	policy 27:25	possibility
22:23 23:19	55:13,19	73:9 77:20	performing	pharmacist	piece 4:9	28:18 29:2	67:13
23:25 24:7	56:7 117:10	91:13 94:15	2:25 4:14	65:22	132:23	29:10 30:3	possible
25:24 26:3	122:20	100:5	4:17 8:8	pharmacolo...	pills 65:25	30:12,17	32:13 123:7
26:4,11	141:10	118:24	13:10	75:25,25	pin 118:15	31:7,11	124:5 131:8
32:23 33:20	partner 59:10	121:22	period 8:10	76:5	Pittsburgh	43:25 44:13	possibly
38:13 45:8	PASNAP	122:2	8:14 51:7	Philadelphia	138:13	61:16 100:6	23:15
48:5 49:9	119:12,19	130:25	72:24	1:2,6,15	place 18:22	100:10,12	122:12
51:19 53:18	137:15	137:15	111:14	2:20 4:15	31:21 52:22	113:12	post-mortem
56:13 59:16	passage 25:4	142:7	130:22	5:19 9:19	63:12 65:2	127:15,18	76:19
59:25 80:25	passed 7:3	Pennsylvan...	periods	11:10 12:21	92:17	129:14	post-traum...
94:20 95:25	23:10 44:19	27:23,25	104:14	12:25 13:22	100:11	130:6,15	81:16
101:18	50:8 69:2	30:24 31:17	permanent	18:2 21:21	120:17,22	131:20	posthumou...
102:5,9	71:20	67:20 70:2	116:20	21:24 22:8	123:3	133:5,23	11:23
103:24	101:23	70:6,13,23	131:4	24:11,21	128:11	134:15	potential
105:22	passionately	139:10	permit 16:9	26:19,25	129:15	policymaking	17:24 20:7
106:11	135:15	Pennsylvan...	16:17 17:7	28:13 33:25	places 44:17	52:5	21:16 26:23
118:6,18	patient 51:11	18:11	109:16	34:3,7	plant 69:22	poor 72:5	27:3 35:8
120:25	53:11 64:21	people 10:13	110:4	37:23 39:17	platform	popular	84:14 121:2
121:12	65:3 69:17	49:6 53:15	permitted	40:12,15	139:7	137:9	potentially
124:3,21	70:8 89:9	54:7 55:3,4	31:3	45:12,20	playing	population	106:7
126:7,10	107:24	55:8,22	perpetual	46:11,23	112:17	57:19 129:8	power 69:22
127:9	120:4,16	56:7 60:24	65:8	47:6,12	plays 115:18	134:4	86:6
135:11	124:18,20	64:2,5 65:6	person 34:15	52:18 54:22	please 3:5	posed 33:16	PowerPoint
140:9,18	125:18	66:4,11	44:5,6,8	56:11 58:18	22:18 23:12	position	59:22 125:8
Parkinson's	126:18,23	67:13 73:6	77:18 86:24	59:11 76:21	24:3 33:18	22:12 25:3	practical
85:12	patients 22:2	79:20 82:15	86:25 91:2	82:20 84:17	58:19 95:2	29:13 36:18	83:15
parole 134:18	52:13 84:2	82:19 85:13	93:24	85:15 98:12	pleased 24:22	43:19	practically
parse 110:15	85:20 119:8	86:24 87:22	105:14,16	110:6,16	26:19	109:10	39:14
part 30:15	119:11,14	103:11	107:21	114:7	plus 19:7	positions	122:19
32:9 41:24	120:18	105:10	124:6	118:22	point 43:16	25:16 29:12	practice
66:17 79:2	122:2	106:25	128:19	121:4,20	61:13 72:16	29:16 70:14	40:11 59:12
87:14	pay 81:7	111:15	132:7	133:12	77:9 81:3	positive 19:20	59:15
139:25	paying 91:7	114:17	personal 11:4	136:15	98:21	37:8 42:3	113:18
participants	payment 8:8	115:5 117:8	30:11 48:13	137:3 139:6	106:25	44:22 73:7	136:15
25:11	payout 8:13	117:9 123:3	49:13 112:3	141:13,15	124:8 126:9	90:23 91:2	practiced
participate	PCA 141:20	129:12,19	personally	141:24	126:15	91:5,16,20	76:23
75:12	Pedro 22:19	130:10,21	6:8 10:2,18	Philadelphi...	131:14	92:10,24,25	Practices
participating	26:17 35:23	132:11	119:15	46:18	133:10	97:14,17,17	34:6 35:20
31:12	37:4 136:7	133:3	personnel	Philadelphi...	points 59:24	97:20	38:2 55:15
135:17	penalties 29:3	134:21	50:12	4:17	131:16	105:17	practicing
participation	Pennsylvania	137:7,22	persons	physician	police 2:23	120:14	107:13
140:3	1:6 18:7	139:4 141:5	128:15	32:15 64:15	4:12 5:20	134:2,13,17	pre-employ...
particular	22:4 24:25	percent 64:5	perspective	64:17,20	6:8,18 7:22	139:3	77:17 78:2
38:24 43:13	26:22 27:6	96:16 113:3	39:13 46:6	65:19	8:7,15,19	possessing	79:13 90:19
54:24 55:6	34:12,22	113:6,8	47:19 48:6	141:17	8:25 9:7	117:17	91:4,24
55:17 56:3	35:21 38:5	132:3,18,20	49:19,20	physicians	13:8 15:6	possession	pre-hire
81:7 88:19	39:5 40:22	perfect 49:14	83:23 119:3	122:16	115:20	30:5 108:6	97:12
127:25	41:16 44:16	perform 31:4	119:4	pick 107:22	128:7,10,17	109:11	precedence
133:21	57:17 58:22	70:18	138:24	124:18	policies 25:14	115:9	38:25
138:22	61:12 64:13	performance	pertains	125:23	32:12 37:15	116:14,19	precedent

Committee on Labor and Civil Service
March 14, 2018

Page 13

39:6,11 40:17 precedential 36:21 precious 11:9 preempt 41:2 42:6 prefer 66:11 preliminary 112:13 premises 30:9 31:21 prepared 98:18 prescribe 122:16 141:17 prescribed 30:19,23 31:4 34:11 44:4 123:15 prescribes 122:17 prescription 123:16 124:17 125:13 prescriptions 20:7 presence 2:10 120:8 present 1:9 20:25 75:11 93:7 presentation 75:11 presenting 21:2 presents 11:20 President 6:5 9:16 24:9 presidential 57:4 Presidents 5:17 6:7 presumption 72:2 pretty 126:15 prevalent 56:10 previous 141:10	priceless 10:11 primary 65:19 125:21 principal 109:20 prior 3:16 23:10 90:2 101:23 107:8,18 125:18 129:22 priority 60:23 61:20 61:20 prison 71:8 129:7 130:9 131:23 132:4,7,18 134:6,6 prisons 129:9 132:14 private 20:10 46:19 47:13 47:22 84:11 88:10 90:7 privilege 53:11 privileges 28:7 proactive 46:13 47:19 139:6 proactively 47:4 83:24 probable 141:6 probably 40:20 42:11 45:6 80:4 92:20 94:3 104:9,10 111:21 116:6 probation 134:17 problem 11:20 44:12 proceed 3:14 5:24 33:18 proceeding 117:14	proceedings 116:15,20 117:19 143:4 process 87:9 87:18 139:8 processes 89:17 processor 109:19 processors 109:5 produce 49:3 productive 140:15 products 78:8 professional 35:4 119:6 119:23 120:3 professionals 22:13 25:5 82:3 118:25 137:17 Professions 58:24 program 25:10 31:13 61:2 63:6 63:19 64:10 64:18 66:18 67:5 107:10 113:8 114:23 126:19 programs 62:9 112:23 114:9 prohibit 73:6 107:9 108:16 prohibited 27:13 30:7 119:25 prohibits 30:5 project 87:15 promoted 11:23 promulgated 38:7 properly 16:13 72:14	property 31:20 pros 18:20 prosecute 60:23 61:21 61:22 62:8 62:14 115:10 128:6 prosecuting 113:19 141:12 prosecution 2:24 4:13 13:9 127:22 127:24 131:9,13 protect 4:20 8:21 13:24 21:23 22:9 protected 34:15 52:19 71:23 72:12 72:20 89:20 protection 68:13,13 71:14 73:13 protections 67:21 68:2 68:5,7,9 71:19 73:5 73:10 89:3 89:4 90:13 107:15 120:16,22 protects 93:11 proud 18:24 proves 105:7 provide 5:4 24:22 26:20 46:17 58:8 73:5 83:4,8 98:16 100:7 124:9 provided 6:23 43:14 68:2 provider 32:16 107:11 providers' 101:13	provides 39:23 67:21 69:16 70:24 87:4 100:13 providing 68:12 71:18 109:24 provision 41:13,15 88:3,5 111:15 provisions 35:25 70:12 70:22 psychoactive 74:6 psychomotor 30:20 PTSD 81:15 82:2,12,14 82:22 83:18 85:13 86:23 86:25 87:21 public 2:4,6 6:15 11:12 15:21,22 17:13 18:22 20:2,5 29:19 32:19 47:4 49:12 49:15 51:25 69:20 81:21 85:23 86:9 101:23 107:16 125:3 136:5 136:22 143:15 publicize 47:4 publicly 14:10 137:7 published 138:10 Puerto 19:8 63:17 pull 51:15 104:23 105:8 pulled 93:21 puncture 78:4 97:7 purchase 65:12	purpose 2:6 18:17,19 60:9 78:25 79:16 pursuant 60:25 put 4:6 15:10 60:17 118:15 137:18 putting 4:19 Q qualifications 127:6 qualities 74:15 question 10:11 95:10 96:5 98:5,8 100:3,23 113:16 115:12 124:12 127:13 129:7 130:4 questions 9:12 14:9 17:23 19:15 20:17 24:19 26:8 32:21 33:15 38:12 38:22 58:12 95:8,9 118:9 120:24 121:7 138:21 quickly 59:23 122:7 136:2 Quinones-S... 1:12 2:14 10:4 quite 39:15 103:10 110:14 124:7 133:24 quorum 2:10 quote 28:2 29:11 31:20 138:22 quote/unqu... 80:19 quoted 122:3	quoting 107:25 R race 111:7,11 racial 110:22 111:8 113:4 raise 85:2 raised 19:15 50:21 81:2 83:22 138:22 141:3 raising 50:6 132:16 ramifications 25:11 random 31:14 79:13 119:22 ranks 10:15 rapidly 42:25 43:6 rate 82:5 ravaged 81:23 reached 92:4 reactions 25:21 read 2:16 17:16 24:12 45:22 57:6 80:17 138:11 reading 5:9 16:9,18 17:7 121:18 138:21 reality 37:12 121:9 really 23:15 43:13 51:2 54:13 55:9 55:21 56:4 60:2 61:14 62:10 67:11 67:23 68:4 68:10 70:4 73:5,12 75:5,5 83:22 87:20 100:23 103:17 111:10	113:10 118:9 132:13 140:9,10 realm 76:23 89:13 139:10 reason 7:4 57:24 81:15 91:19 93:4 93:14,23 97:19 115:10 119:13,23 126:22 128:3 reasonable 37:20 97:5 104:24 105:18,19 reasonable-... 79:20 80:13 reasons 51:11 51:15 receive 32:13 81:11 125:19 received 47:10 receives 57:22 receiving 53:8 116:8 recipient 108:15 126:24 recipients 28:17 106:22 115:14 134:16 recognition 14:5 63:25 recognize 2:9 55:7 recognizes 16:2 49:25 recommend... 16:7,15 17:5 122:5 recommend... 46:15 83:10 84:7,14
---	---	--	--	---	--	---	---

Committee on Labor and Civil Service
March 14, 2018

Page 14

recommend... 39:22 45:25 66:9	135:18 137:6 refuse 28:3	17:24 106:18 relates 56:19	renewed 65:10 Rep 121:20	116:21 residents 13:24 46:18	retain 35:15 retaliate 28:5 68:15	Rodriguez 22:20 26:2 26:15,17	sales 116:14
recommend... 134:2 139:17	36:3 refuses 19:19 regard 67:25	106:23 107:16 110:5	repeat 124:9 replace 6:12 8:24	82:9 84:16 110:6 139:9 141:14	retired 62:4 review 90:21 90:24 91:10	43:22 136:7 Rohrabach... 62:5	Samantha 21:10
record 3:16 5:15 12:16 19:7 20:2	regard 72:18 regarding 1:18 7:24	112:16 113:16 115:7	report 88:14 reported 16:6 16:14 17:4	resolution 1:17,17 2:8 17:14,17	91:14 93:2 94:12,14 97:22	Rohrabach... 62:3 role 46:13	Samira 58:20
24:5,12 26:14 32:25 33:10 40:10	17:21 19:2 20:3 24:22 26:21 28:5	116:10 relating 108:5	102:2 reporter 143:24	23:8 26:20 33:23 50:7 51:25	reviews 90:22 revising 99:15	55:17 rolled 121:6 rolling 56:24	Sanchez 6:3
45:9 56:18 59:3 90:10 102:6	39:9 40:5 116:23 regardless	relations 20:14 33:12 33:13 34:4	reporting 87:19 reports 97:22	101:24 resolved 138:19	revoked 116:8 Rhode 40:23	Room 1:6 Ross 7:21 Rothschild	savings 132:24
121:18 122:6 126:13	116:24 regimes 43:11	35:19 39:6 45:17,19 50:11 85:6	represent 52:5 53:16 representat...	22:13 25:5 44:7 47:24 resources	40:25 41:3 41:14 71:21 72:6	40:9 59:10 120:21 Rothschild's	saying 16:21
127:8 135:13,24 137:10	region 135:17 regions 45:11 65:14,16	136:10 relationship 138:18	21:14 81:14 122:3 representat...	20:14 26:18 114:2,5,15 136:8	Richard 21:6 59:6 136:17 Rico 19:8	136:14 Rounding 21:12	18:4 46:23 47:2,16 51:8 55:12
recorded 102:3 records	registered 64:16 107:24	relative 20:8 45:23 49:12 56:23 57:8	20:13 represented 120:21	respect 27:17 respectfully 7:5	63:17 right 2:13 37:16 39:20	routine 104:10 RPR-Notary	61:19 90:11 95:14 says 62:6
131:19 recreational 27:12 39:4	118:20 registrant 87:10,25	81:18 84:17 101:22 122:22	representing 136:24 reproduction	respond 133:10 responders	49:19,22 54:15,18 55:25 56:20	143:15 rubric 46:16 Rue 22:20	72:22 79:8 96:17 121:20
45:24 63:6 63:10 recreationa...	registrants 88:11 regs 45:21	125:5,22 139:22 141:4	request 17:6 126:20 requesting	12:2 15:7 response 14:21 16:25	57:15 58:4 68:11 80:24 82:2 85:7	33:25 136:9 rule 61:16 ruled 32:3	99:24 scenario 99:24
117:11 red 83:22 138:23	regulated 67:9 69:18 89:19	relatively 104:6,6 released	require 25:16 29:5,24 31:10,18	26:10 83:16 responses 106:6	94:3,4,15 103:19 129:7	rules 5:9 16:8 16:16 17:6 ruling 37:5	Schedule 25:9 35:6
reduced 48:17,17 129:8	regulating 19:10 35:11 regulation	134:12,23 relevant 20:16 23:11	required 29:8 89:24 requirements	responsibili... 35:15,22 90:9	131:12 133:16 137:24	run 8:19 80:3 80:9,12,13 running 19:4	60:7 school 86:4
reducing 135:19 reduction	43:20 87:7 regulations 36:13 38:5	relief 67:12 74:14,14 remain 106:3	68:24 required 29:8 89:24	responsibility 32:17 responsible	34:5 35:15 35:22 37:3 41:8 46:5	rule 61:16 ruled 32:3 rules 5:9 16:8	135:18 schools 71:2
132:3,18 reeling 11:21 refer 78:14	42:24 43:15 43:18 46:24 50:9,18	62:18 remains 73:12	28:11 85:17 99:2 107:13 requires	47:24 48:6 52:15 55:16 55:18 93:17	129:7 131:12 133:16	16:16 17:6 ruling 37:5 run 8:19 80:3	science 76:2
reference 81:22 referencing	51:13 52:6 52:11 53:3 53:14 63:12	remarks 27:2 remember 115:17	research 87:6 87:10,15 88:5,11	rest 113:24 139:15 restriction	137:24 34:5 35:15 35:22 37:3	80:9,12,13 running 19:4 S	scout 33:14
79:2 referendum 44:18	88:16 rehabilitative 115:3	removal 116:15,19 116:25	requirements 28:11 85:17 99:2 107:13	result 29:4 72:14 73:12 134:7	41:8 46:5 47:24 48:6 52:15 55:16	11:14 13:25 sacrifice 11:7 11:14 13:25	screen 59:19
referred 74:9 refers 80:8 reflect 102:7	reinvent 89:16 reiterate	117:13,18 118:2 removed	require 25:16 29:5,24 31:10,18	responsibility 32:17 responsible	54:15,18 55:25 56:20 57:15 58:4	133:16 137:24 rights 32:12	screw 20:21
refocus 89:2 reform	140:7 related 7:24	96:22 renewed 65:10	reside 78:17 resident 110:16,19	results 45:3 90:20,23 97:2	68:11 80:24 82:2 85:7 94:3,4,15	82:2 85:7 94:3,4,15 103:19	seated 3:14
				resume 17:13	103:19 129:7 131:12	16:16 17:6 ruling 37:5 run 8:19 80:3	3:18 106:3
					133:16 137:24 rights 32:12	80:9,12,13 running 19:4 S	106:7
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	60:7
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18
					34:5 35:15 35:22 37:3 41:8 46:5	11:14 13:25 sacrifice 11:7 11:14 13:25	135:18
					47:24 48:6 52:15 55:16 55:18 93:17	133:16 137:24 rights 32:12	135:18
					54:15,18 55:25 56:20 57:15 58:4	82:2 85:7 94:3,4,15 103:19	135:18
					68:11 80:24 82:2 85:7 94:3,4,15	103:19 129:7 131:12	135:18
					94:3,4,15 103:19 129:7	131:12 133:16 137:24	135:18
					103:19 129:7 131:12	133:16 137:24 rights 32:12	135:18
					133:16 137:24 rights 32:12	133:16 137:24 rights 32:12	135:18

Committee on Labor and Civil Service
March 14, 2018

Page 15

sector 20:5,10 46:20 47:13 47:23 84:11 88:10 90:8 security 39:18 see 18:11 32:6 42:15 50:10,11 57:13 79:22 83:16 92:24 93:23 98:10 102:16 111:14 112:14 122:25 130:18 131:18 134:5,11,15 137:13 seeing 62:16 85:8 87:21 131:10 seek 57:20 seeks 13:6 seen 41:18 56:23 73:12 117:7 sees 91:15,16 select 123:13 selected 47:14 123:11 self 55:5 self-disclosed 111:2 selfless 4:18 sell 66:18 seller 112:6 selling 109:24 112:5 128:19 sense 100:20 separate 110:10 SEPTA 89:23 Sergeant 3:8 5:18,18 7:18 series 60:17 61:25 serious 46:3 64:22 66:19	81:5,8 87:17 103:12 122:15 125:7 137:18 141:15 seriously 88:24 132:13 serum 79:8 79:25 80:3 80:9,20 94:10 103:5 servants 6:15 serve 8:20 32:19 123:23 141:8 served 18:13 18:13 service 1:3,18 2:6 4:18 7:20 12:3 12:24 15:4 17:21 33:21 47:5 106:12 118:19 139:19 142:3,13,17 services 50:12 115:5 serving 13:21 session 5:10 16:10,18 17:8 20:19 Sessions 61:8 61:18 set 8:3 seven 104:11 sexual 82:6 82:11 share 25:22 50:19 95:3 101:3 shared 24:13 sharing 49:24 sheet 39:9 shepherded 47:19 shines 51:3 short 71:16 shoulders	6:24 show 9:3 11:13 64:4 124:16 showing 12:2 78:25 80:14 shown 7:9 shows 63:13 side 51:11 sides 93:19 signal 13:19 signed 34:9 significant 23:22 41:24 48:14,19 signify 16:21 silent 28:10 107:7,18 silly 85:25 similar 45:2 81:18 115:20 135:3 simple 95:9 simply 39:20 73:6 122:11 single 85:14 sitting 43:3 situation 70:20 71:8 93:13,16 96:13 97:12 133:2 situation's 55:7 situations 70:25 99:8 six 65:14 129:9 skills 30:20 sky 61:11 sledge 51:15 sleep 74:14 slide 63:8 67:17 79:3 81:4,6 slides 105:4 slight 48:23 small 15:12 104:8 112:2 113:19,21 114:3 123:20	125:10,10 125:11 126:4 127:22 128:4,14 129:3,20 130:23 131:5 141:11 smokable 66:4 smoked 66:11 social 82:3 133:13 141:21 society 133:7 sold 66:10,16 solely 28:7 36:5 68:16 71:24 somebody 48:10 49:4 74:19 79:17 80:14 90:21 91:4 104:12 130:5 134:3 someone's 111:6 somewhat 86:23 son 123:8,12 125:4 soon 64:11 sorry 26:5 42:21 96:3 104:3 sort 33:7 39:8 40:2 46:16 47:3 54:15 58:7 83:5 83:19 84:8 108:9 134:20 137:6,18 141:23,25 sound 85:25 124:22 space 60:24 114:22 spaces 70:9 speak 61:13 65:9 speaking	67:19 84:25 special 11:9 87:5 138:8 species 78:18 specific 35:24 70:3,6,12 126:15 specifically 44:3 67:19 88:17 106:15 113:15 124:11 specimen 80:12 specimens 76:18,19,23 speculate 113:10 spending 62:2 spent 140:13 sponsor 3:20 23:23 sponsored 13:3 sponsoring 9:10 10:5 spouse 8:5 Squilla 9:9 13:5 SSC 41:23 staff 58:23 65:20 118:24 137:16 stance 115:20 standards 36:17 standing 115:25 standpoint 50:6 65:6 66:21 79:12 80:12 88:22 stands 13:12 23:17 119:13 start 18:4 38:23 60:4 87:9 100:10 101:21 106:8	108:23 118:9 132:13 started 23:7 38:20 48:16 starting 69:11 state 3:15 12:15 19:5 19:6 20:2 22:4 24:4 27:16 32:2 32:7 34:17 35:9,19 37:6 42:7,9 42:22 43:9 43:17 44:22 45:4,9,20 45:21 47:20 50:8,16,17 50:25 51:2 51:13,13 54:5,16 56:19 57:10 63:2 64:25 71:20 73:2 73:9 86:7 102:14,18 107:12 110:20 115:20 118:4 125:24 126:2 129:8 130:11 133:3 134:6 134:22 139:17,20 state's 1:18 17:22 41:6 41:7 state-regula... 61:2 62:8 stated 27:22 57:13,18 71:23 120:7 statement 61:16 99:14 statements 57:6 states 19:7,11 27:7,9 28:2 35:10 38:25	51:9 56:25 61:6 63:6 63:17,20,22 67:24 69:13 71:21 117:10 statistics 64:4 123:25 136:19 status 28:8 36:6 68:17 71:24 72:20 106:17 116:17 statute 41:3,8 41:14 42:10 44:16 66:23 66:24 68:19 69:2,15 70:23 71:12 71:14 72:8 73:4,18 74:10 77:21 79:22 80:7 80:17 87:4 88:3,6,16 94:15 96:13 99:19 100:12,13 100:15,19 107:7 126:15 127:2,5 statutes 27:14 51:16 68:3,5 statutorily 128:5 129:4 statutory 128:17 138:16 stay 104:4 118:12 123:6 stays 92:14 92:15 103:9 steadily 7:2 stenographer 103:25 stenographic 143:6 step 67:22 76:8 103:19	stepping 75:22 sting 112:4 stopped 141:12 stories 92:13 street 9:2 stress 81:16 83:2 stretched 8:10 strong 13:19 structurally 123:7 structured 49:22 students 135:16 studied 86:23 studies 88:8 study 76:5 87:15 88:22 sub-branch 76:12 subcommitt... 40:12 subject 31:14 60:10 62:21 63:3 90:18 subjective 49:19 submitting 24:17 subsequent 63:7 subsequently 60:19 62:4 substance 25:9,15 34:24 60:8 107:9 109:13 114:17 115:6,24 119:25 128:16,22 substances 30:7 35:5 42:5 56:4 60:6 76:4 76:15 78:7 108:7,11 111:22
---	---	--	--	--	--	--	--

Committee on Labor and Civil Service
March 14, 2018

Page 16

substantially 112:24	127:14 133:6	79:24 91:10 127:5	territories 19:8	testing 31:10 31:15 37:8	104:2 105:21,22	53:23 54:2 54:12,13	36:3 three 67:23
sucked 104:7	141:21	tasks 31:2	test 19:21	37:14,18	105:24	55:20 57:12	92:21 99:24
sudden 67:6	surviving 8:5	Taubenber...	29:23 69:8	52:23 68:25	106:10,11	58:3,10	107:4
suddenly 6:12	13:15	1:13 2:13	70:5 72:2	70:5 77:5	118:17	59:25 60:4	109:21
suffer 82:5	suspended	4:6 6:4 9:8	72:11 74:8	79:13,13	121:10,12	63:19,24	128:21
85:21	16:8,17	10:3 13:4	74:18,18	107:15	121:13	64:8 65:5	137:23
122:14	17:7	14:24,25	77:16,17,19	119:21	127:11	66:25 67:17	threshold
137:22	suspension	101:19,21	77:24,25	tests 29:6	135:7,8,10	68:12 71:7	92:3,20
suffering	5:8	102:10,11	78:2,3,6	73:7 74:8	135:12,25	74:2,25	129:2
103:12	suspicion	103:20	79:16,20,21	79:10 91:5	136:6	75:3 79:4	ticking
sufficient	104:25	105:20	80:16 90:18	91:22 95:15	139:12	82:21 83:14	108:23
37:24 96:20	105:19	140:4,6	90:19,20,22	96:4 120:10	140:2,9,17	83:18 84:8	tighten
suggestion	sustained	taxes 132:16	90:23 91:7	134:2,13,17	140:18,20	85:2 86:22	102:19,25
85:3	32:5	teaching	91:20 92:10	tetra-canna...	142:9,14,15	87:2 88:6,8	time 4:7 5:6
summarize	sword 114:11	87:11,14	92:10 95:15	73:25	thanking	88:20 89:23	12:7 19:14
33:5	system 64:24	team 10:23	95:15,17,17	tetrahydroc...	23:23	90:17 92:5	36:7 51:17
Superior	64:25 67:9	137:12	95:18 96:8	78:13 79:6	thanks 138:9	92:22 93:18	52:25 54:12
72:25	73:25 96:22	Teamsters	96:9,25	94:9	THC 74:7,25	95:16 98:20	54:17,21
supervision	103:10	77:8	97:3,14,20	thank 3:13,23	78:15,15,16	100:9,17,18	55:13 64:10
35:2 108:21	113:25	technical 3:2	99:21,23	3:24 4:4 5:6	78:20 80:4	103:5,16,17	75:10 85:11
134:8	131:24	technically	104:19	5:11,12,23	80:5,6,7,8	105:3 106:6	85:23 86:12
143:23	T	74:22	105:6,17,18	6:8 7:15,16	92:2 94:8	109:21	90:5 99:18
support 4:7	table 3:11	technology	105:19,19	7:17,22 9:8	103:4,14	113:20	103:10
5:5,8 7:14	22:22 38:18	110:8	120:14	9:13 10:2	104:4	117:19	104:5 105:8
8:11,23	59:5 140:15	television	tested 42:2	12:8,10,11	theoretically	118:8	108:22
9:20 12:8	take 6:23	122:25	105:2	12:18 13:13	74:19	119:15	109:13
13:3,19	9:25 25:2	tell 40:4 43:2	testify 3:6	14:6,10,13	therapeutic	120:20	110:24
14:2,7,11	41:12 46:13	95:24 96:6	9:20 13:2	14:14,15,16	76:7	125:9	111:17
15:16,16	48:11 55:25	111:12	14:7 33:13	14:25 15:3	therapeutics	127:16	132:15
18:25 23:22	58:14 67:17	telling 84:21	33:22 38:11	15:17,19	76:6	129:12	140:10,12
37:2 64:6	67:22 91:3	122:4	42:18	16:4 17:9	Thiel 3:8	134:4,14	140:14,14
119:7 139:5	99:16	123:10	106:13,16	17:11 21:10	12:18,19,24	138:4	times 10:25
141:9	113:25	temporary	testifying	22:16 23:4	thing 11:4	141:13,23	47:9 129:18
supporting	134:20	116:17	14:20 33:3	23:18,25	40:25 41:8	thinking	tinctures
11:14,24	135:2	ten 43:2	94:25	24:2 25:23	41:11 50:5	39:16 40:5	65:25
supports 55:3	taken 15:24	tend 92:22	testimony 2:7	25:24 26:12	51:8 60:12	63:20 84:4	tissues 76:16
55:19	18:22 35:2	tens 97:9	3:15 5:25	26:15,16	65:5,11,17	91:13	title 2:17
supposed	60:14 74:20	term 93:5	9:11 12:17	32:20,23	69:25 73:17	122:20	17:17 31:12
87:7 132:10	93:9,25	terminate	14:17 17:14	33:18,19,20	87:3 96:11	123:12	44:5,11
Supreme	143:6	36:3 69:7	23:8 24:4	38:10,13	103:23	third 58:11	titles 31:9
31:23 37:6	takes 76:8	terminated	24:17 26:20	40:7 42:16	114:8	68:8 108:24	Tobacco
45:6 73:3	115:19	21:25 47:14	32:24 33:4	50:3 51:18	things 20:11	113:22	115:21
sure 3:18	talk 39:3 54:6	72:4 93:24	33:5,11	51:19,22,23	28:24 52:20	thought	today 2:18
8:16 18:18	64:12 82:13	terminates	38:14 49:12	53:12,17,18	52:21 54:11	57:24	8:11 9:2,19
21:11 26:13	83:5 137:11	19:20	49:17 52:3	53:21 54:2	63:5 66:21	102:14	13:2 15:24
33:8,10,15	talked 75:20	termination	56:17 58:6	56:12,14,16	86:7 110:8	138:25	17:18 20:25
45:14 56:13	79:3 125:9	37:16	58:8 59:18	58:5 67:16	129:11	thoughts	21:11 22:11
85:24 86:10	talking 43:4	terms 3:3	95:13 106:6	73:15 94:20	think 10:10	84:23	42:18 46:22
95:13	47:3 82:15	28:6 42:23	118:7,8,14	95:4,6 98:3	39:14 42:15	thousands	50:7 52:3
121:16	95:14	54:3 73:9	137:21	101:15,16	43:7,18	97:8,9	54:8 68:23
124:24	132:15	75:9 89:3	139:13	102:5,8,11	49:21 50:5	119:12	74:21 75:20
	talks 73:18	99:5	141:2		51:9 52:2	threaten 28:3	77:16

Committee on Labor and Civil Service
March 14, 2018

Page 17

106:14	treated 87:23	132:22	106:23	29:18 30:7	66:2	99:11	136:2,5
121:11	treatment	type 69:25	115:15	31:19,25	variety 78:6	voice 7:23	138:7
139:24	31:13 32:14	74:14 85:4	116:15	34:10,25	various 19:14	voices 135:14	139:12
today's 18:25	81:12	86:17	unfold 45:22	35:8,12	101:9	voluntarily	140:2,9,21
19:23	114:13,15	107:14	unfortunat...	36:9,11	vary 35:9	6:15	wanted 3:17
token 78:21	114:16,23	111:25	50:21 85:9	39:4,10	vehicle 30:10	volunteer	19:6 23:9
93:11	114:25	112:10	99:25	41:5 45:24	30:11 96:14	109:9	26:9,13
told 43:3	116:8	113:7 117:6	100:16	46:25 57:23	96:16	volunteering	38:20 73:16
Tom 34:8	125:19	131:3 135:3	uniform 77:5	63:11 72:15	vehicles	117:10	76:3 102:17
tool 84:15	treatments	types 30:23	unintended	79:2,17	25:17 30:22	vote 102:7	103:22
top 8:21	53:8 67:12	31:2 79:10	52:13 53:6	85:6 92:23	vena 78:4	voting 15:18	121:16
112:19	tremendous	82:10 95:14	58:2 84:19	93:14 96:2	97:6	102:4	122:6,7,10
topic 36:20	132:16	114:5,17	138:3,25	97:11,13,25	verbal 56:22	VP 136:6	122:11
total 112:20	trend 63:13	115:5	140:23	102:20	Vermont		137:10
totals 124:2	trial 113:25	typically 74:8	141:5	104:12	63:9	W	140:7
touch 62:22	trigger 79:19		union 9:22	112:3 117:9	versus 41:10	wage 39:19	wants 86:2
69:13	90:13	U	11:21 119:2	117:12	41:23 56:19	wait 3:17	88:7 127:3
touched	116:14,19	U.S 60:18	unions 30:16	119:7	77:21 80:23	57:13 83:22	Washington
73:20	116:25	ultimate 11:7	unique 70:25	125:10,12	81:21	140:13	35:10
tough 52:9	117:13,18	13:25	70:25 99:8	134:5	viable 60:9	waited 4:4	wasn't 61:12
toxicological	triggers	ultimately	unit 9:18	137:19	Vice 5:17 6:6	waiting 43:17	watching
80:11	80:16	100:17	118:21	user 19:22	22:25 24:9	57:9	125:4
toxicologist	truck 109:23	unable 72:13	universe 61:4	34:14 36:6	view 133:22	Walkout	128:18
21:7 59:7	trucking 77:8	unanswered	61:5	68:16,18	viewed 116:9	135:18	136:5,23
75:24 76:20	true 6:14	120:23	University	70:18 71:25	violate 68:22	want 2:9,16	water 78:18
76:25	8:16 54:3	uncertainty	100:4	72:10,21	134:3	3:12,18,24	way 31:5
136:18	96:9 117:14	11:19 60:3	unknown	90:12	violating	4:3 14:9,18	49:23 52:6
toxicology	143:7	64:7 100:21	128:22	103:11	125:24	15:3 18:16	58:9 68:21
75:24 76:8	truly 10:10	138:17	unlawful	115:23	violation	18:17 20:2	70:5 75:22
76:12	trumps 44:13	unclear 72:17	72:24	users 36:24	36:11 41:6	20:18,19	79:22 80:17
traditional	trust 46:6	108:18	115:23	uses 69:6	134:8,13	21:22 22:16	80:17 88:19
113:25	try 71:16	uncles 122:21	unquote	76:3 120:4	violations	23:4,5 33:5	90:25 91:12
trafficker	100:12	unconventi...	31:22	usually 45:12	29:4	33:5,8	98:7 102:25
117:25	128:20	58:9	updated	110:23	violence 6:13	38:18 39:3	103:6
tragic 12:5	133:14	underlying	98:20	128:20	82:6,11	46:21 47:17	130:13
training	trying 89:7	48:9	upheld 44:25	Utah 63:21	135:19	49:11 51:23	132:5,15
10:20 64:18	114:12	understand	urge 53:13	utilities 69:20	virtually 92:9	53:25 55:11	133:15
107:10	131:7	21:19 46:3	urine 77:20	utilize 79:15	virtue 68:16	55:23 56:12	141:23
transcript	136:19	55:16,23	78:2,6,8,15	utilized 79:14	visa 106:22	56:15,17	ways 15:11
143:8,21	turned 97:18	60:12 61:15	78:17,20		115:13	58:5 59:16	15:12 51:6
transfer 30:6	128:22	65:7 66:4	79:15,21	V	visas 116:16	74:2 75:14	53:13
transport	turning 59:19	66:25 71:13	80:6 91:22	vague 102:15	visiting	77:15,19	130:21
124:19	twice 80:4	75:3 77:21	92:2,10,19	valuable	110:18	78:17 79:9	we'll 12:15
Transporta...	two 28:12	87:3 95:13	95:15,18	140:11	Voegele	83:14 88:25	21:12 43:18
28:15 29:22	42:11 59:17	107:4	96:9,16,21	value 12:3	20:22,23,23	94:23 95:12	59:18,23
36:13 62:23	59:17 79:10	127:14	97:3,10,11	36:21 58:11	42:16 59:13	97:8 106:2	94:21 95:2
trapped	94:18,24	understand...	97:14,25	79:23 94:17	59:13 67:16	118:7	we're 43:16
96:23	95:3,8,14	54:25 60:5	120:8	104:20	84:24,25	121:13,15	45:3 46:9
trauma 82:8	98:6 99:23	75:15 89:5	usage 123:21	137:11	95:11 98:17	121:17	49:10 50:15
83:2	128:20	understands	use 19:10	139:3,23	101:7	124:24	51:5 54:5
traumatic	131:16,22	70:24	25:14,15,16	values 92:20	136:11	125:22	57:9 58:13
83:2	132:14	undivided	27:8,12,12	94:14	Voegele's	127:14	58:15 59:22
treat 87:21	Two-hundr...	3:19	28:9 29:4	vape 66:5	73:17 86:21	131:16,22	63:13 68:7
		undocumen...		vaporized		135:13,25	

Committee on Labor and Civil Service
March 14, 2018

Page 18

68:12 72:8	42:2	142:10	zero-tolera...	27:1 28:1	132:1 133:1	33:1 34:1	139:1 140:1
72:9,22	witness 3:10	workplace	28:18 29:10	29:1 30:1	134:1 135:1	35:1 36:1	141:1 142:1
78:10 83:6	21:8 22:21	28:14,16,19	69:5 99:21	31:1 32:1	136:1 137:1	37:1 38:1	30 92:14
84:4 85:8	59:4 140:15	28:24 29:2		33:1 34:1	138:1 139:1	39:1 40:1	113:3,6
87:8 89:6	witnesses 3:6	36:2 54:10	0	35:1 36:1	140:1 141:1	41:1 42:1	128:5 129:4
90:7 91:24	3:10 22:21	55:6,19	0.08 96:16	37:1 38:1	142:1	43:1 44:1	30-plus 76:24
92:16,17,19	59:4	56:6 62:24	1	39:1 40:1	19 88:6	45:1 46:1	30-year 10:13
105:25	Wolf 34:9	69:5 71:7	1,000 8:9	41:1 42:1	1980s 81:23	47:1 48:1	33 30:14
114:8,12	women 8:18	72:3 77:13	1,455 111:24	43:1 44:1	1988 28:14	49:1 50:1	35 132:18
115:9 124:7	8:22 111:24	workplaces	123:21	45:1 46:1	1989 77:14	51:1 52:1	370 132:2,17
129:11	112:7	28:20 55:9	10 70:3 73:24	47:1 48:1	1991 28:15	53:1 54:1	4
130:20	123:22	workshop	79:4,6 80:8	49:1 50:1	1st 113:18	55:1 56:1	4 61:7 132:5
131:6 132:6	wording 79:5	25:4	80:20 94:7	51:1 52:1	121:19	57:1 58:1	400 1:6
132:9,10,15	words 78:4	worth 10:9	94:8,16	53:1 54:1	2	59:1 60:1	47 30:14
135:23	90:19	94:18	103:4	55:1 56:1	2,000 8:13	61:1 62:1	498 112:8
141:22	work 20:9	wouldn't	104:20	57:1 58:1	2,811 112:12	63:1 64:1	5
we've 41:18	30:9 44:11	67:15 82:16	105:5	59:1 60:1	200 129:19	65:1 66:1	5 80:20
52:3 54:18	46:24 48:21	128:13	10:10 1:7	61:1 62:1	2013 111:14	67:1 68:1	5,000 132:8
61:4 62:16	48:22 49:2	Wow 75:7	100,000 4:23	63:1 64:1	2014 60:15	69:1 70:1	132:13
68:22 99:5	49:7 53:7	wrangling	4:25 8:12	65:1 66:1	61:24	71:1 72:1	5,500 132:10
99:12,15	55:4,5 56:8	54:16	10:8	67:1 68:1	2016 34:8	73:1 74:1	50 132:20
113:12	70:8 72:13	written 79:23	11,946	69:1 70:1	2017 13:13	75:1 76:1	50-month
115:8 132:2	79:18 82:24	100:19	112:10	71:1 72:1	37:5 41:20	77:1 78:1	8:10,13
133:12,19	85:13 86:16	wrong 47:21	123:18	73:1 74:1	111:14	79:1 80:1	50,000 8:4
Wednesday	87:23 92:4	94:3,4,4	12 10:24	75:1 76:1	2018 1:7	81:1 82:1	13:12
1:7 50:24	103:15	wrongfully	12:30 142:17	77:1 78:1	121:19	83:1 84:1	500 132:11
week 66:6	106:19	21:25	14 1:7	79:1 80:1	21-105 1:15	85:1 86:1	502 127:4
113:21	119:19,24	wrote 138:14	14,500 7:12	81:1 82:1	2:20 8:4	87:1 88:1	507 127:4
129:17	123:9 133:5	X	15 132:19	83:1 84:1	22 5:21 9:17	89:1 90:1	51 113:21
134:25	142:2	Y	166 132:8	85:1 86:1	25 27:6 132:3	91:1 92:1	129:16
135:2	worked 54:21		17 34:8 64:22	87:1 88:1	250 132:21	93:1 94:1	133:11
weekend 87:8	worker	Yeah 101:7	66:19 67:14	89:1 90:1	26 113:8	95:1 96:1	6
weeks 18:8	141:21	year 27:5	130:5	91:1 92:1	280 13:22	97:1 98:1	6,100 129:10
63:8	workers 15:5	40:24 61:8	170839 1:17	93:1 94:1	29 19:7 35:9	99:1 100:1	129:13
weigh 50:9	21:17 26:24	65:8,10	2:8 17:15	95:1 96:1	63:16	101:1 102:1	132:3,9
welcome 32:9	27:22 29:11	132:8,21	26:21 33:23	97:1 98:1	3	103:1 104:1	60,655 132:7
went 60:13	32:19 39:17	years 10:24	18 38:7 130:7	99:1 100:1	3 106:3	105:1 106:1	7
83:19 132:5	39:19 47:6	13:22 19:12	130:9	101:1 102:1	3/14/18 2:1	107:1 108:1	8
West 81:25	52:14,19	43:2 54:3	180012 1:15	102:4 103:1	3:1 4:1 5:1	109:1 110:1	8,200 129:9
wheel 89:16	53:7 82:4	76:22,24	2:1,8 3:1	104:1 105:1	6:1 7:1 8:1	111:1 112:1	132:2
white 3:8	122:24	77:11 108:5	4:1 5:1 6:1	106:1 107:1	9:1 10:1	113:1 114:1	80s 77:10
5:18,19	workers'	108:16,18	7:1,24 8:1	108:1 109:1	11:1 12:1	115:1 116:1	9
7:18 98:18	52:15	108:19,20	9:1,20 10:1	110:1 111:1	13:1 14:1	117:1 118:1	9-1100 34:7
112:7,12	workforce	111:17	11:1,25	112:1 113:1	15:1 16:1	119:1 120:1	9-1103 38:2
willingly 8:20	27:3 67:15	123:5,17	12:1 13:1,3	114:1 115:1	17:1 18:1	121:1 122:1	900 132:23
win 93:18	85:5	126:6	13:15 14:1	116:1 117:1	19:1 20:1	123:1 124:1	90s 60:13
window 92:24	workforces	132:22	15:1 16:1,3	118:1 119:1	21:1 22:1	125:1 126:1	94 64:5
wires 69:25	99:9	youth 71:3	16:5,14	120:1 121:1	23:1 24:1	127:1 128:1	
wish 4:23	working	Yvette 22:19	17:1,4 18:1	122:1 123:1	25:1 26:1	129:1 130:1	
withdraw	36:10 54:7	24:8 26:7	19:1 20:1	124:1 125:1	27:1 28:1	131:1 132:1	
130:20	82:16 86:5	26:12 136:6	21:1 22:1	126:1 127:1	29:1 30:1	133:1 134:1	
131:9,13	90:2 107:2	Z	23:1 24:1	128:1 129:1	31:1 32:1	135:1 136:1	
withdrawn	137:24		25:1 26:1	130:1 131:1		137:1 138:1	