

David J. TubioloLegislator, 14th District

Chair, Committee on Seniors & Constituencies

**Committee Assignments:**
Infrastructure
Public Safety & Social Services

For Immediate Release: February 15, 2017
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Legislators Tubiolo, Testa Introduce Legislation Banning Synthetic Marijuana

Legislator David Tubiolo (R) Yonkers, Mount Vernon, has proposed a Local law which would ban the sale or possession of chemical compounds known as synthetic marijuana in Westchester County. Minority Leader, Legislator John Testa (R) Peekskill, is co-sponsoring the Act which was taken up for discussion on Monday in the Board of Legislators (BOL) Legislation Committee.

The Legislation Committee, Chaired by Legislator Virginia Perez (D) Yonkers, received feedback from members of law enforcement including Westchester County Public Safety Commissioner George Longworth and representatives of both the Yonkers and Mount Vernon Police Departments. Both County and municipal law enforcement representatives voiced support for the proposed law and reported frequent interactions with individuals under the influence of synthetic marijuana who were “zombie-like”, irrational, violent or suicidal. They also reported that these incidents are on the rise. Because of its inexpensive cost, the negative impacts are seen disproportionately among young teens and in low-income areas. Westchester County Consumer Protection Commissioner Mark Fang also participated at the Committee meeting, indicating his Department’s support for the measure.

The Local Law would be implemented by amending the “Consumer Protection Code” to include a new Article XXIV entitled “Synthetic Cannabinoids” in relation to restricting the sale and possession of synthetic drugs. The law would be enforced through both local Police and the County’s Department of Consumer Protection. The civil penalties proposed for violators include a \$500 fine for the first offense and \$1000 for a second offense. The extent of criminal penalties is still under discussion.

Westchester's law seeks to broaden the definition of synthetic drugs to avoid the "cat and mouse game" of slightly altering the chemical composition of the drug to circumvent local laws which producers have employed in the past.

Legislator David Tubiolo is Chair of the Seniors and Constituencies Committee which has oversight of the County's Youth Bureau. "Synthetic marijuana is a serious and dangerous problem from both a public health and law enforcement perspective. Because of the inconsistent nature of the chemical compounds used, it is impossible to predict how the drug will affect the user and how severe those affects might be. This is especially dangerous for our kids who are the prime target of synthetic drug suppliers. The drug is generally marketed in brightly colored packages featuring familiar cartoon characters. There could not be a more innocent looking product which hides potentially deadly effects." Tubiolo said. "I believe that properly crafted legislation implemented through the coordinated efforts of law enforcement and our Consumer Protection Department can go a long way toward eradicating this addictive and deadly poison in our communities."

Legislator John Testa, the Co-Sponsor of the Law said, "Synthetic drugs are a uniquely dangerous and fast spreading phenomenon. The obvious threat to public health, especially that of our kids should be enough to keep it off store shelves but for sellers who are willing to put profits over moral responsibility, this Legislation will ensure that their profits dry up through severe financial penalties and potential criminal charges." Testa added, "I spent my professional career as a public High School Teacher and I can see that the danger and accessibility of these synthetic drugs poses a threat to our youth that we must address now and at every level of government. I hope that our Legislation here in Westchester County can serve as a template for local, regional and state governments to use in battling this critical problem."



Legislators Discuss Synthetic Drug Ban with Law Enforcement and Consumer Affairs Officials on Monday at the Legislation Committee Meeting



Emergency Response to Four People Sickened by Synthetic Marijuana in White Plains in January 2016



Retail Form of Synthetic Marijuana
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