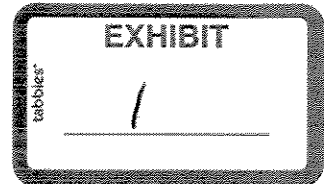


CAMPAIGN NEIGHBORHOOD – CFNBA

Corporate Office

Thursday, March 9, 2006



LEGISLATIVE FILE # 051409

Substitute ordinance relating to Drug Paraphernalia

SPONSORS:

- Alderman James Bohl, Jr. – District 6
- Alderman Joe Davis – District 2
- Alderman Tony Zielinski – District 14
- Alderman Robert Donovan – District 8
- Alderman Robert Puente – District 9
- Alderman Joseph Dudzik – District 11

Presented to:

The Public Safety Committee

- Alderman Robert Donovan – District 8
- Alderman Robert Puente – District 9
- Alderman Michael McGee – District 6
- Alderman Terry Witkowski – District 13
- Alderman Tony Zielinski – District 14

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SAFETY COMMITTEE

City Hall – Milwaukee, WI

Greetings!

My name is Mary Glass. I am the Chair/CEO of Campaign Neighborhood – CFNBA, an organization founded to address strategic planning, education and implementation of issues that affect the quality of life and economic development of residential, commercial, light industrial and institutional stakeholders of Inner City neighborhoods.

Our 4-mile by 3-mile primary target area is bound by:

- Capitol Drive/North
- State Street/South
- Holton/Van Buren/East
- 60th Street/West

We launched a 5-Year Signature Plan on November 22, 2005. One of the key initiatives of that plan is the “Operation Safety” Initiative. It is an initiative with a heavy focus on research, identifying concerns, education and massive outreach/communication for change.

We were the first to form the Petroleum and “C” Roundtable during the first quarter of 2005 to address a myriad of safety issues identified unique to Petroleum and “C” stores that covered property maintenance, health, consumer and environmental issues and management of operations. We also identified liquor stores as a point of distribution for volume sale of “blunts” and other items, identified as drug paraphernalia.

Campaign Neighborhood – CFNBA is a supporter of State Representative Tamara Grigsby and Senator Alberta Darling State Assembly Bill 307 which allows this ordinance to move forward. In fact, we testified on September 13, 2005 before the Judiciary Committee in Madison for passage of Assembly Bill 307.

We support AB 307 for the following six (6) reasons:

- It draws needed attention to an out-of-control link to use of drugs.
- It helps to curb the use of drugs.
- It helps to pinpoint three major distribution points of drug paraphernalia – Gas Stations, Liquor Stores and Convenience Stores.
- It advances Safety Prevention and Safety Intervention Initiatives for better neighborhoods.
- It assist in Environment Health.
- It assist in the Enforcement of laws on the books.

It is the same reasons that we are here today for the companion City Ordinance on Drug Paraphernalia.

Our Director of Safety – Derrick Smith, Chief of Security Police and owner of Wisconsin Security Police Services, is our expert in this area. He is out-of-town at this time and could not be here. He has expressed and we support the importance of “Enforcement” of this ordinance.

CAMPAIGN NEIGHBORHOOD – CFNBA is focusing on the access and sell of blunts (drug paraphernalia) at gas stations, liquor stores and convenience stores in the Milwaukee area, especially the Inner City area. We offer the following comments.

BLUNTS

The name, “**Blunts**”, is a street name used to describe a marijuana and tobacco cigar. Originally, the plain wrapper brands were Phillies Blunt, El Producto, White Owl, and Dutch Masters. Today’s trend is pre-hollowed out flavored blunt wrappers. There is a smorgasbord of flavors that include Apple, Vanilla, Grape, Cotton Candy, Bubble Gum, Strawberry, Honey, Chocolate and Cognac.

Blunts have flavors that are sweet, similar to candy and designed to lessen the harsh taste of tobacco. The newest flavors are called “juicy blunts”. These flavorful blunt wrappers use a triple-dipped process and come individually wrapped and soaked with 7 distinct flavors including: Black n’Blueberry, Mango Papaya Twist, Tequila Gold, Apple Brown Betty, Chocolate Chip Cookie Dough, Brass Monkey and Sweet n’Natural.

Juicy blunts are distributed by HBI International. HBI is one of the largest independent wholesalers of cigarette tobacco in America! Their mission is to provide the lowest prices and largest selection of RYO (roll-your-own) products.

BLUNTS vs. JOINTS

It is important to note that Smoking marijuana inside the leaf or paper wrapper of a cigar offers several advantages to the user:

- The tobacco wrapper slows down the burning rate of the joint. This allows a greater number of users to share the same joint.
- A blunt holds more marijuana than a joint, and is convenient to use and store. A single user can smoke it, extinguish it, and easily relight it. "That's what's so cool about a blunt. Just put it out. It fits nicely in the top pocket."
- It looks like a legal drug. Even though it is illegal for adolescents to use tobacco products, blunts appear to be commercial tobacco cigars. Policemen, teachers, and parents who ignore cigarette possession in minors are like to ignore blunts as well.
- Nicotine from the tobacco content may add to the effects of the marijuana in a blunt. Nicotine is a stimulant and marijuana is a minor hallucinogen with some depressant properties.

Other stimulant and depressant combinations include cocaine and heroin, cocaine and alcohol, amphetamines and alcohol.

This is big business. It is organized and sophisticated. The market is targeted to appeal to teens and those who can not resist the sweet aroma. African American communities have been documented as a target audience based on diet choices of teens.

The convenience of preparation of the blunts with diagrams for "easy roll", various accessories for rolling, and stores – wholesalers, ebay, internet, gas stations, liquor stores and convenience stores for purchasing, it is no wonder the industry is growing by leaps and bounds.

Large lobbying organizations such as the National Association of Convenience Stores represent and support retailers and distributors in the tobacco, blunt, petroleum and convenience store industries.

In August, 2005, the New York Association of Convenience Stores (NYACS) commented in a press release its support of retailers during a "crack-down" of the Greater Rochester Area Narcotics Enforcement Team (GRANET), a police task force threatening to arrest retailers if they do not stop selling blunts and blunt wrappers.

GRANET claimed the products serve no purpose other than to smoke marijuana and therefore should be treated as "drug-related paraphernalia" under law. The NYACS countered with it was the state's public health law that includes cigars, rolling papers, and "other tobacco products" in its definition of tobacco products that are legal for license as long as it is sold to customers aged 18 or older.

This is an example of the dilemma we face. On the one hand we say it is legal and on the other it is illegal. The lack of clarity perpetuates the problem of monitoring, the public taking it serious and enforcement.

The short and long-term health considerations for those using and those inhaling second-hand smoke adds to our growing health concerns.

AB 307 has opened the door. In order for this ordinance to be successful, it must provide assurances for enforcement, otherwise we are wasting time and compounding the present at risk behaviors.

CAMPAIGN NEIGHBORHOOD – CFNBA is committed to sharing information, educating the population, coalition-building; and, monitoring for accountability the gas stations, convenience, liquor and distribution stores of the Milwaukee area. To that level, we have established link with the Consumer and Environmental area of Milwaukee Health Department as well as the National Association for Petroleum and “C” stores. Our first meeting for outreach this year is scheduled later this month, March 28-30, 2006, Quarterly Accountability Symposium.

We strongly recommend the following for enforcement:

- ADD THE WORDS: SINGLE EDGE RAZOR BLADES, BRILLO PADS/CHOW BOY**
- CLARIFY THE EDUCATION/TRAINING FOR:**
 - EACH ALDERMAN
 - MAYOR
 - MILWAUKEE POLICE DEPARTMENT
 - CITY ATTORNEY OFFICE
 - LAW ENFORCERS OF MILWAUKEE PUBLIC HEALTHDEPARTMENT AND NEIGHBORHOOD SERVICES (per 50-25 reference in Ordinance)
- EDUCATION/COMMUNICATION FOR**
 - PETROLEUM & “C” OWNER/OPERATORS
 - LIQUOR STORE OWNER/OPERATORS
 - WHOLESALERS
- EDUCATION OF THE PUBLIC**
 - ALDERMEN NEWSLETTERS
 - RADIO/PRINT/TELEVISION/BILLBOARDS
 - SCHOOLS

ENFORCEMENT OF SITES OF SALE

- REGULAR LAW ENFORCEMENT PATROL – HEALTH DEPARTMENT, NEIGHBORHOOD SERVICES, CITY ATTORNEY’S OFFICE, AND MILWAUKEE POLICE DEPARTMENT
- MILWAUKEE POLICE CONDUCT PERIODIC CHECKS THAT ARE INFORMATIONAL & PERIODIC CHECKS SIMILAR TO “BAR CHECKS”

CLARIFY FOR ENFORCEMENT

- EXEMPTIONS**
e-2 This sub section does not apply to any items, including pipes, papers and accessories, which are designed for use or primarily intended for use with tobacco products.



MARY GLASS, Chair/CEO

3-09-06

DATE