



Capitol Correspondence

from

State Senator

Daylin Leach



Serving Delaware and Montgomery Counties

FALL 2016

Dear Neighbor,

Since I sent you my last newsletter, I am proud to say that we have passed the most important piece of social legislation in the past 30 years. After a half decade of hard work, Governor Wolf signed my medical marijuana bill into law on April 17 as Act 16 of 2016. To get to this point, I organized a bipartisan coalition of legislators and advocates that I hope will serve as a model for how future controversial issues are handled in Pennsylvania.

As a result of this new law, not only will many thousands of suffering Pennsylvanians finally get the medicine they need, but a major new industry will be created in our state. The law provides for 25 licenses to grow marijuana and 50 licenses for dispensing marijuana (and each dispensing license allows for three dispensaries). Within the next 18 months, the first medical marijuana dispensaries will open across our state, employing thousands of people and generating hundreds of millions of dollars in tax revenue.

We are currently hard at work on the regulations that flesh out and add detail to the new law. On July 8, I convened a conference to discuss how to regulate the new industry in a way that will help as many patients as possible, as soon as possible. Over 350 patients, doctors, dispensers, growers and investors from over a dozen states assembled at Saint Joseph's University to discuss and debate regulatory issues related to medical marijuana. I'm in the process of writing a report on how to best regulate medical marijuana in Pennsylvania and nationwide.

I have also started working in earnest on my next project: criminal justice reform. In the last 30 years, we have increased our prison population by over 1,000 percent. This has cost us billions of dollars, as we spend about \$40,000 per year to keep people incarcerated, but it has not made our streets safer or reduced our crime rate compared to states with fewer prisoners per capita. Change is sorely needed, so I have introduced a number of solutions, including reforming our bail system, reducing mandatory minimums, ending the doctrine of felony murder, and finding alternatives to incarceration. We've already had committee hearings in the Judiciary Committee, which I co-chair, on some of these proposals. I am hopeful we will begin to move some actual legislation in the fall.

I will keep you fully informed as we move forward on this and many other fronts. And as always, feel free to contact my office whenever you have a question or concern.

Sincerely,

Daylin Leach
Senator, 17th Senatorial District

Look Inside:

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- Bail Reform
- Protecting the Constitution
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- Protecting Victims



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■ Making Medical Marijuana Work for Patients

On July 8 over 350 people from over a dozen states attended my one-of-a-kind, first-in-the-nation conference at Saint Joseph's University in Philadelphia to discuss and debate the best practices in the medical marijuana industry and the best regulations for Pennsylvania's new medical marijuana program. Since 1996, 24 states have legalized medical marijuana. My goal was to learn from the experiences in those states and to seek input from those who intend to be a part of our program here in Pennsylvania. We should learn from history and try to avoid the mistakes that have kept this effective medicine from patients who have already waited too long to find relief from their suffering.

Even though we worked for years to legalize medical marijuana in our state, there is still so much to do to make sure the law works for patients, doctors, growers, dispensers, and investors. I'm talking, of course, about regulations. Regulations will determine who can get a license to grow medical marijuana, whether or not physicians will feel comfortable participating in the program, where dispensaries can be located, and much, much more. There's so much we need to get right and so much to learn.

At my Medical Marijuana Regulatory-Palooza, my team and I gathered input from doctors, prospective patients, endocannabinoid experts, lawyers, physicians, growers, processors, dispensers, industry attorneys, and investors. Everyone openly debated dozens of important regulatory issues in a



(L-R) Rep. Mary Jo Daley (D-Montgomery), Saint Joseph's University Provost Dr. Jeanne Brady, State Senator Daylin Leach (D-Montgomery), and State Senator Mike Folmer (R-Lebanon) pose for a picture at Daylin Leach's Medical Marijuana Regulatory-Palooza on Friday, July 8, 2016, at Saint Joseph's University in Philadelphia.

controlled setting while my team and I watched and learned. With so many smart, passionate people at the conference, it was only a matter of time before the best ideas became clear. The conference was a massive success, and we couldn't have done it without Saint Joseph's University, which provided the venue as well as some enthusiastic student volunteers, who helped us keep track of what was discussed and debated by the conference's attendees.

Because we had to turn away over 150 people who wanted to attend, we also had a form online that allowed anyone to submit their ideas. Along with my staff, I am writing a report that includes the best of all of the ideas that were presented to us and will hopefully serve as a "best practices" reference for Governor Wolf's team at the Department of Health as they draft the regulations. Look for the final report on our website sometime in September. ■



■ Bail Reform

Our system of justice holds sacred the idea that we are innocent until proven guilty. Yet on any given day, about half a million Americans who can't afford bail sit in jail even though they have not been convicted of the crime with which they have been charged. While in jail, they often lose their job, family, and home, making it more likely they'll commit more crimes. As taxpayers, we all foot the bill for this discriminatory, unjust, and senseless policy. I'm developing legislation to fix it. Under my bill, we would stop imprisoning people simply because they do not have enough money to pay their bail, and only the most dangerous among us would be imprisoned prior to being found guilty. Those accused of crimes would still have to pay bail if they miss a court date, an incentive that has proven effective in Washington D.C., which has enacted similar reforms. ■



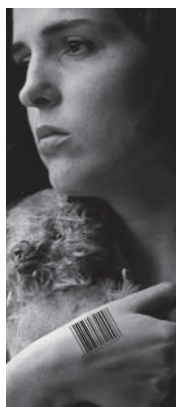
■ Beating the NRA

In 2014 Governor Tom Corbett approved Act 192, which granted organizations like the National Rifle Association (NRA) the right to sue municipalities that passed any legislation that even mentioned the word "gun." It was a galling idea, and it even forced taxpayers to pay the NRA's legal bills. As you might imagine, this was an unpopular proposal, which is why some legislators had to sneak it into a totally unrelated bill. That's unconstitutional, not to mention wrong, so I challenged Act 192 in court. After a legal battle that took over a year and a half, I am happy to report that on June 20,

the Pennsylvania Supreme Court agreed with me and struck down that awful law. You should not be able to sneak unrelated provisions into a bill at the last minute, when nobody will notice. Thanks to the Pennsylvania Constitution, you can't, and for that we should all be thankful. ■

■ Protecting Victims

In my ongoing fight against human trafficking, I have joined one of my Republican colleagues, Senator Stewart Greenleaf, in introducing proposals to protect those forced into sexual slavery from being revictimized by the criminal justice system. My partnership with Senator Greenleaf started with Act 105 of 2014, which made Pennsylvania one of the nation's most progressive states at dealing with the trafficking epidemic.



Our next proposal addresses those most in need of our help: children. There is no such thing as a child prostitute; there are only victims and survivors of child rape. With this in mind, we've introduced legislation to prevent law enforcement from treating these children like criminals and require that they get the services and support they need to recover and flourish. Our bill, Senate Bill 851, has already passed the Senate Judiciary Committee. I am hopeful that it will pass the full Senate this fall. ■

■ Reforming Felony Murder

Under the doctrine of "felony murder," an individual involved in the perpetration of a felony may be found guilty for any murder committed during the commission of the felony, even a murder the individual did not directly commit. A conviction carries a life sentence without the possibility of parole. I've introduced a bill to reform this policy.

Suppose "Steve" conspires with "Zach" to be the getaway driver while Zach robs a convenience store. The robbery goes south; Zach shoots and kills the cashier. Steve was not in the convenience store when the murder was committed – he wasn't even aware that Zach was armed – but due to Steve's involvement in the robbery he can be charged with "felony murder." If convicted, Steve will spend the rest of his life in state prison. This doesn't seem like justice and it certainly doesn't seem like a wise use of taxpayer dollars.

My reform bill focuses the use of the felony murder doctrine on defendants who intentionally, knowingly, or recklessly disregard the risk that the death of another human being would occur. Life sentences for felony murder can certainly be justified, but blanket life sentences that don't take the facts of a case into consideration are unjust, prohibitively expensive, and not smart on crime. ■

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Eighth Annual Kids' Fair

My eighth annual Kids' Fair at the Elmwood Park Zoo was a massive success. Over 1,000 parents and kids from my district enjoyed an evening with the zoo animals, lots of free food, and the chance to speak with representatives from public, private, and nonprofit organizations working to help the least fortunate among us. We also raffled off tickets to Philadelphia Phillies games, Dorney Park, Skatium, Jump Zone, Facenda Whitaker Lanes, and Wynnewood Lanes. McGruff the Crime Dog from the Upper Merion Township Police Department and Victor Vaccine from Montgomery County Aging and Adult Services even made an appearance. Thanks to all of our sponsors, including Elmwood Park Zoo, Suburban Community Hospital, Comcast, PECO, Aetna, Chesterbrook Academy, and Chiropractic Wellness Associates! ■



Children enjoyed meeting McGruff the Crime Dog and members of the Upper Merion Township Police Department at Daylin Leach's eighth annual Kids' Fair on Friday, July 29, 2016 at the Elmwood Park Zoo in Norristown.



Children and parents alike enjoyed pizza, hot dogs, pretzels, and water ice.