

Testimony of Della A. Selner
Before the Pennsylvania Senate Transportation Committee
September 21, 2021

Thank you members of the Senate Transportation Committee and chairs Langerholc and Sabatina for giving me an opportunity to submit written testimony in support of Senate Bill 167

In November 2019 my and my fiancé's life was turned upside down as a result of a DUI arrest and, ultimately, conviction for utilizing medical cannabis. On Thanksgiving weekend my fiancé took his son and nephew with him as he drove to pick up a disabled friend from work and take him home. The boys simply wanted to go along for the ride. He was stopped by a Pennsylvania State Trooper on Route 30 outside of Chambersburg, PA. The Trooper told my fiancé that he was being stopped due to an oval sticker on his rear window which may have obscured the driver's ability to see out of the rear window. My fiancé was never cited for any motor vehicle violation.

The Trooper told my fiancé that he could smell the odor of cannabis from inside of the vehicle. He produced his medical cannabis patient identification and the lawfully purchased medical cannabis products in his possession. He was asked to step from the vehicle and perform field sobriety tests. Despite passing the tests he was asked to submit to a chemical test and advised he'd lose his driver's license for a year if he refused. Knowing that he had not used medical cannabis since the day before my fiancé presumed that the chemical test would demonstrate that he was not impaired. He was later shocked to

learn from his attorney that he was guilty of DUI regardless of when he last consumed as long as there was any amount of THC in his blood. To make matters even worse he was also charged with two counts of Endangering The Welfare of Children.

My fiancé was convicted and incarcerated. He spent 122 days in jail. He lost custody of his son. We have not seen his son, my step-son, for almost two years. This has financially crippled us between fines, costs, attorney's fees and loss of employment due to incarceration. My fiancé uses medical cannabis to treat chronic pain having successfully weaned himself from highly addictive opioids. It seems incomprehensible to me that he was told by the Legislature that he could lawfully use a non-addictive, natural medication yet be forced to forfeit his ability to drive (and work). We are in the midst of an opioid crisis, but he is forced to resume use of highly addictive pills in order to be able to drive. We don't know if we'll ever be able to resume custody.

In closing I encourage this Committee to send this legislation to the Senate for a vote in order to save the citizens of the Commonwealth of Pennsylvania who legally use medical cannabis instead of other more harmful treatments from going through the absolute nightmare we have experienced and continue to endure.

Thank You

Della A. Selner

