



August 30, 2013

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
Washington, DC 20530

Dear Attorney General Holder,

On behalf of the undersigned national law enforcement organizations, we write to express our extreme disappointment that the U.S. Department of Justice does not intend to challenge policies in Colorado or Washington that legalize the sale and recreational use of marijuana in contravention of Federal law. Further, the Department reiterated its intent to enforce the Federal Controlled Substances Act (CSA) in eight priority areas, however, these will be extremely difficult for Federal, state, local and tribal law enforcement agencies to enforce in practice given the recently approved referendums. As law enforcement officials, we are charged with enforcing the law and keeping our neighborhoods and communities safe—a task that becomes infinitely harder for our front-line men and women given the Department's position.

The decision by the Department ignores the connections between marijuana use and violent crime, the potential trafficking problems that could be created across state and local boundaries as a result of legalization, and the potential economic and social costs that could be incurred. Communities have been crippled by drug abuse and addiction, stifling economic productivity. Specifically, marijuana's harmful effects can include episodes of depression, suicidal thoughts, attention deficit issues, and marijuana has also been documented as a gateway to other drugs of abuse.

Marijuana use has had devastating effects in our communities with over 8,000 drugged driving deaths a year, many of which involved marijuana use. Data from Colorado demonstrate the consequences of relaxed marijuana policies that lead to increased use: fatalities involving drivers testing positive for marijuana increased 114 percent between 2006 and 2011. Youth admissions into emergency rooms for marijuana-related incidents have also increased in Colorado. From 2005-2008, the national average for ER admissions for marijuana-related incidents was 18 percent, while in Colorado it was 25 percent. From 2009-2011, the national

average increased to 19.6 percent, while in Colorado it rose to 28 percent. Additionally, the Department of Health and Human Services issued a report showing that for drug-related emergency room visits among youth aged 12-17 the leading drug involved in the incident was marijuana. In addition, officials have documented major increases in exports of marijuana from Colorado to other states between 2010 and 2012.

As with many other drugs, marijuana can also be directly tied to violent crime. As recently as May of 2013, the Office of National Drug Control Policy (ONDCP) released a report showing that marijuana is the most common drug found in the systems of individuals arrested for criminal activity. The ONDCP study found that eighty percent of the adult males arrested for crimes in Sacramento, California, last year tested positive for at least one illegal drug. Marijuana was the most commonly detected drug, found in fifty-four percent of those arrested. Similar results were found in other major cities such as Chicago, Atlanta and New York.

The conclusion that can be drawn from these facts is that relaxed marijuana policies lead to clear and foreseeable negative consequences for communities and families.

Furthermore, it is unacceptable that the Department of Justice did not consult our organizations – whose members will be directly impacted – for meaningful input ahead of this important decision. Our organizations were given notice just thirty minutes before the official announcement was made public and were not given the adequate forum ahead of time to express our concerns with the Department’s conclusion on this matter. Simply “checking the box” by alerting law enforcement officials right before a decision is announced is not enough and certainly does not show an understanding of the value the Federal, state, local and tribal law enforcement partnerships bring to the Department of Justice and the public safety discussion.

Marijuana is illegal under Federal law and should remain that way. While we certainly understand that discretion plays a role in decisions to prosecute individual cases, the failure of the Department of Justice to challenge state policies that clearly contradict Federal law is both unacceptable and unprecedented. **The failure of the Federal government to act in this matter is an open invitation to other states to legalize marijuana in defiance of federal law.**

We strongly encourage you to consider all the potential implications of the Department’s decision not to enforce Federal law on marijuana sale and use in Colorado and Washington. The decision will undoubtedly have grave unintended consequences, including a reversal of the declining crime rates that we as law enforcement practitioners have spent more than a decade maintaining. Our number one goal is to protect the public and ensure its safety. The Department’s decision undermines law enforcement’s efforts to carry out this responsibility and will not aid in maintaining public safety.

Sincerely,



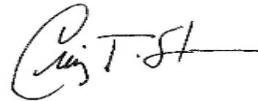
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Bob Bushman
President, National Narcotic Officers
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Chuck Wexler
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Cc: Deputy Attorney General James Cole