



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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August 1, 2017

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Task Force on Crime Reduction and Public Safety

Dear Attorney General Sessions:

Thank you for bringing focus and energy to the important task of combating violent crime. The State of Alaska shares your concern over the numerous and growing threats to public safety and challenges faced by law enforcement agencies. As you and your Task Force on Crime Reduction and Public Safety undertake a review of various Department of Justice (DOJ) policies and following up on Governor Walker's April 5, 2017 letter, I want to offer some additional perspective on issues of particular concern to our state: the ongoing opioid epidemic and DOJ's marijuana policy.

I. Opioid Epidemic

As you know, opioid abuse continues to pose a grave danger throughout the nation. In Alaska, the opioid epidemic and the alarming rate of associated deaths led Governor Walker to declare a state of emergency. Battling the spread of this threat, the state administration organized a specific task force and disaster response team to orchestrate the efforts of state health and law enforcement officials. And, our legislature established additional controls on prescriptive authority for opiates. Despite these and other efforts, more is needed.

The transportation of opioids into and through the state has proven difficult to stem. We are faced with importation of opioids manufactured abroad through a sophisticated international trade network. Transport of opioids into rural communities, often through the U.S. postal service, is also of particular concern because off of the road system villages are frequently the least equipped to handle the public safety and medical challenges associated with the opioid epidemic. As it undertakes its work, we ask that the Task Force give focused thought to how DOJ can most effectively contribute to efforts to address this urgent problem.

II. Marijuana Regulation

Given the diversity of public sentiment regarding marijuana throughout the country, marijuana regulation is an area where states should take the lead. In fact, our federal constitution presumes that traditional police powers remain with state governments precisely because of our ability to be responsive to this type of regional variation in citizens' policy preferences and priorities. In Alaska, in accordance with a successful citizens' ballot initiative, the State has implemented a comprehensive framework to regulate marijuana that we believe also protects federal interests.

Our regulatory framework strictly controls every aspect of the industry—with particular emphasis on neutralizing the involvement of criminal growers and traffickers, keeping marijuana away from children, and ensuring that our citizens are fully informed about the risks of using marijuana. Licensure requirements for growing and selling marijuana are among the strictest in the nation; only bona fide Alaskan residents can be licensed and every licensee must submit fingerprints for a national criminal background check each time they renew. Every ounce of marijuana that is grown under our laws is tracked from the time it is eight inches tall until it leaves the door of a retail establishment with a consumer. State law enforcement efforts continue to combat black market marijuana activity and we appreciate the ongoing support and collaboration of our federal counterparts in those efforts. While challenges remain, they are manageable and not dissimilar to the law enforcement efforts in other contexts.

In light of the citizens' ballot initiative and the existence of a robust regulatory framework that protects federal law enforcement interests, we ask DOJ to maintain a policy substantially similar to the guidance articulated in the 2013 Cole Memorandum. From our perspective, the existing policy is a pragmatic approach that effectively creates space for states to be responsive to our residents while also protecting federal priorities. Of course, we remain open to discussion about where improvements might be made as our experience with the regulated marijuana industry develops. Should the Task Force recommend a shift in DOJ policy, we ask that you engage directly with us to discuss potential approaches before reaching any final conclusions.

Sincerely,



Jahna Lindemuth
Attorney General
State of Alaska

cc: Governor Bill Walker
Senator Lisa Murkowski
Senator Dan Sullivan
Representative Don Young
Bryan Schroder, Acting U.S. Attorney for the District of Alaska
U.S. Department of Justice Task Force on Crime Reduction and Public Safety