



**State of Vermont**  
**Windham County Sheriff's Office**  
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Tel: (802) 365-4942  
Keith D. Clark, Sheriff



January 21, 2015

Senate Judiciary Committee

Dear Committee Members,

My name is Keith D. Clark and I am the sheriff of Windham County. I am in my third term as Windham County's sheriff. I have over 25 years of law enforcement experience. I have a master's degree in justice administration from Norwich University. I am also a graduate of the FBI's National Academy. I have served more than twenty years in the United States military to include active and National Guard service. I was born in Vermont, and except for my time on active duty service, have always lived in this state.

I am here today in support of S.95 which would eliminate the prohibition of marijuana and make it legal for personal use by adults over the age of 21 in the State of Vermont.

For many decades the state and federal governments have attempted to control the use of marijuana by prohibiting it. Prohibition and the so-called "War on Drugs" have not made our communities and highways safer. In many ways prohibition has created a system that has caused more harm than good.

If the data is accurate that 80,000 Vermonters, or approximately 1 in 8 people use marijuana in a given month, then prohibition is not effective except that it creates criminals of a vast number of people who otherwise are law abiding citizens. With the limited number of police officers in this state we need the support of the people we are sworn to serve. If one in every eight is fearful of interacting with police out of concern of being caught for possession of marijuana, it hinders our ability to gather information from the citizens in our community and address crimes we need to solve and prevent.

Over the years, prohibition has allowed illicit dealers to control the marijuana market, regulate the content of the marijuana sold in our state, and allows unscrupulous dealers to sell to children. By legalizing marijuana the state and local governments will have control of the market, regulate THC content in marijuana, and we will have the support of licensed cultivators and sellers in keeping black market dealers out of the state and away from our children.

I do not believe legalizing marijuana will increase the dangers we face on our highways, but will lessen them. Even though Vermont is providing training to all law enforcement officers to detect drivers who are driving under the influence of alcohol and other drugs, in my opinion, when it comes to marijuana police officers are not thinking about the ability to operate safely. In my experience when an officer approaches a car and smells an odor of alcoholic intoxicant he or she will resort to training and try to determine if the operator is capable of driving safely. Over the years and even recently I have observed most officers when they smell the odor of marijuana, whether in raw form or having been smoked, they focus more on what is in the vehicle and not on safe operation.



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I recently spoke to a fellow graduate and classmate at the FBI National Academy. He is the second-in-command of a small police department in Colorado. The community he serves has a population of approximately 2000 people. His community size is similar to the majority of towns and villages in Vermont. I reached out to him to find out what his experiences were in light of Colorado's recent legalization. He said his officers and others in the area are making more dui drug arrests. He did not believe there was increase in the number of people using marijuana and driving, but the officers were now more focused and had received better training on the operator's ability to operate safely. According to him, he anticipated many problems associated with the legalization, but to date they have not materialized.

By eliminating the prohibition on marijuana and the need to utilize funding for enforcing a failed policy, we as a state can focus on what is important. We will have more resources and can focus on those whom are addicted to any substance, whether it is heroin, alcohol or marijuana. We can also put our efforts into educating our children in a more realistic way. Furthermore we can be more effective in keeping our highways safe for all users.

As you move forward with this significant and important piece of legislation, I would recommend you consider the following:

1. An enactment date no earlier than July 2018. This will allow time for law enforcement to refocus its training. It will provide time for health and education professionals to adjust or develop programming, procedures and education policies. Furthermore it provides time for government agencies, public, private and non-profit companies time to develop and vet policies as they relate to work environments and employment conditions.

2. In the statutes ensure local communities have the ability to determine locally retail sale operations and cultivation sites. Towns and Cities should have the ability to locally control places and times of sale as well as public use. This would be consistent with liquor laws wherein towns have a local liquor control board and the ability to have ordinances about open containers and public consumption.

Like many things, changing Vermont law to move away from prohibition to a more controlled and regulated system for addressing marijuana use, will be difficult, but in time will become part of our culture. Not unlike Vermont's change to allow gay marriage, there will be those who believe the change will only result in catastrophic outcomes. When Vermont takes the bold step to legalize marijuana, I will be as proud as I was on the day I walked my daughter down the aisle when she married her wife.

Thank you for your hard work on this difficult issue.

Sincerely,

Keith D. Clark, Sheriff