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**Sent:** Tuesday, July 31, 2012 10:24 AM  
**To:** MacLean, Alex  
**Subject:** Fwd: decrim

Alexandra MacLean  
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From: **Shap Smith** <[ssmith@dinse.com](mailto:ssmith@dinse.com)>  
Date: Tue, Jul 31, 2012 at 8:27 AM  
Subject: decrim  
To: "[allymac9@gmail.com](mailto:allymac9@gmail.com)" <[allymac9@gmail.com](mailto:allymac9@gmail.com)>  
Cc: "[lmarvinr@gmail.com](mailto:lmarvinr@gmail.com)" <[lmarvinr@gmail.com](mailto:lmarvinr@gmail.com)>

My apologies for the tardiness of this. This is my first draft.

Dear Commissioner Flynn,

This past year, the administration and the legislature had a number of discussions about passage of legislation decriminalizing small amounts of marijuana. Those who support the legislation have suggested that it will further Vermont's efforts to reduce the burden on Vermont's correctional system. In recent years, the legislature, working with the executive branch, has passed legislation to strengthen enforcement and penalties for serious crimes and, at the same time, reduce the number of citizens in the correctional system who have committed what are perceived as less serious crimes. Working with the Governor, you and others, we have also passed legislation to reduce recidivism in the criminal justice system.

It is likely that legislation will be introduced again next session seeking to decriminalize small amounts of marijuana. I expect that arguments will once again be made that such legislation will further our efforts to reduce the number of people within the correctional system. To properly analyze this position, I would ask that you provide the legislature by December 15<sup>th</sup> of

this year with the following information: the number of individuals who have been charged in the last five years with possession of less than an ounce of marijuana, the number of people who have been convicted in the past five years for the possession of less than an ounce of marijuana and the number of people who have been under the jurisdiction of Vermont's correctional system in the last five years because of their conviction for possession of less than an ounce of marijuana. I would also ask you to provide information about the cost to Vermont's correctional system over the last five years of the prosecution, conviction and supervision with Vermont's correctional system of those individuals who, in the past five years, have been charged and convicted for possession of less than an ounce of marijuana.

We know that there are a number of other states that have decriminalized the possession of marijuana. I would ask that you include in your report information and analysis regarding the impact of similar decriminalization policies across the country on the criminal justice system both financially and in terms of rate of crimes and drug usage. This data will be informative to the House Judiciary Committee as it considers the legislation.

Finally, it is my understanding that a number of law enforcement officials have indicated that decriminalization will interfere with their efforts to investigate and charge individuals involved in criminal activity. I would ask that you be prepared to address the concerns that I anticipate will be raised by law enforcement when the House Judiciary committee takes testimony on this issue.

Thank you in advance for the work you and your team will do in providing the House with this information. Please be in touch if you have any questions.

Dinse, Knapp & McAndrew

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