



August 6, 2013

Adams County Board of County Commissioners  
Eva J. Henry, District #1  
Charles "Chaz" Tedesco, District #2  
Erik Hansen, District #3  
4430 S. Adams County Parkway  
Brighton, CO 80601

RE: Opposition to recreational marijuana retail centers for public safety concerns.

Dear Board of County Commissioners:

Since Amendment 64 was approved by the voters, local governments and law enforcement agencies around the state have struggled with the many uncertainties that surround the impact, regulation and enforcement of recreational marijuana establishments. This issue has demonstrated itself to be far more complex than any of us ever imagined. That notwithstanding, my office is committed to upholding the Constitution and laws of the state of Colorado. The purpose of this letter is to respectfully address your recently enacted Ordinance No. 13 and the apparent direction the Board is taking toward the regulation of recreational marijuana establishments.

As you know, Amendment 64 permits the operation of recreational marijuana dispensaries and specifically grants local governments the authority to prohibit such establishments. A review of Ordinance 13 makes clear the Board's determination to temporarily ban the operation of marijuana establishments through the 2014 calendar year "for the purpose of receiving clarification concerning regulation of recreational marijuana establishments."

On Thursday, July 18, 2013, I attended a working group meeting of county officials focused on investigating the likely consequences of taxing recreational marijuana retail centers including the regulation of these facilities as well as law enforcement's involvement in investigating and prosecuting violations. Prior to the meeting, it was my belief that the Board would approach the recreational establishments much like it did the medical dispensaries—that is, elect to "opt out" of the regulation and enforcement of these establishments.

As the July 18<sup>th</sup> meeting progressed and we discussed the various challenges we face in the regulation and enforcement of marijuana establishments, I was surprised to learn of the Board's apparent decision to refer the question of whether to permit recreational

marijuana dispensaries to Adams County voters through a 2014 ballot measure seeking approval of a tax structure on recreational marijuana facilities, rather than first seeking voter approval of recreational marijuana facilities in unincorporated Adams County. The question of whether to permit recreational dispensaries should not be answered by asking the completely different question of how that should be taxed. I have great concern that many voters who oppose recreational marijuana establishments may decide to vote for an increased tax on these establishments as the next best alternative to prohibition.

I believe that this approach is misleading to the voters and does not accurately allow the voters to decide what is in the best interest for the citizens of Adams County, particularly given the certain impact these establishments will have on public safety within our community. It is my position that in order to serve the will of the voters through a transparent government, the issue of whether to permit recreational establishments should be clearly presented to them.

If marijuana recreational facilities are allowed to operate in unincorporated Adams County, there is no question that this will increase the supply of marijuana to the residents of Adams County and their children. I also have serious concerns that the combination of cash and marijuana in these facilities also will increase violent crime within our community.

The U.S. Department of Justice Rocky Mountain High Intensity Drug Trafficking Area program issued a preliminary report last week on the impact of the legalization of marijuana in Colorado. In this report, data was collected tracking two things that will have a significant impact on public safety in Adams County -- traffic fatalities involving marijuana and youth marijuana use. From 2006 to 2011, traffic fatalities in Colorado decreased 16%, but fatalities involving drivers testing positive for marijuana increased 114%. In 2011, the national average for kids 12 to 17 years old who were considered "current" marijuana users was 7.6% and in Colorado the average was 10.7%. I would be more than happy to supply this report to you or it can be found online at [www.rmhidta.org](http://www.rmhidta.org).

I urge you to consider these major public safety concerns that will have a significant impact on the citizens of Adams County as you address this issue of whether to allow recreational marijuana establishments in unincorporated Adams County.

Sincerely yours,

Dave Young  
District Attorney