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### **Alaska Police Standards Council Addresses Possession, Distribution, and Cultivation of Marijuana by Officers**

(Juneau, Alaska) - In February of 2015, following the legalization of recreational marijuana in Alaska, the Alaska Police Standards Council (APSC) examined the applicable state regulations prohibiting certified police, correction, probation/parole, and municipal corrections officers from using or consuming marijuana and determined by a unanimous vote that the regulations should and would remain unchanged.

In its statewide meeting on May 3, 2017, the Council determined, by unanimous vote, that possession, distribution and/or cultivation of marijuana by certified police, correction, probation/parole, and municipal corrections officers, is prohibited under applicable state regulations – even by an officer licensed by the Alaska Marijuana Control Board to possess, distribute, and/or cultivate marijuana. The Council also determined, by unanimous vote that the regulations should and would remain unchanged.

The Council at both the February 2015 and May 2017, meetings reaffirmed the principle that the use, possession, distribution, and/or cultivation of marijuana are incompatible with the law enforcement profession.

When establishing the Council in 1972, the Alaska Legislature authorized it to set minimum standards which officers must meet to be able to serve as officers in Alaska. The Council has never wavered from the principle of prohibiting persons who violate the law (state, federal, or local) by using, possessing, or distributing, or cultivating controlled substances to serve as law enforcement officers in Alaska.

Current regulations prohibit all classes of certified officers in Alaska from illegally manufacturing, transporting, selling or using controlled substances. The Council's decision recognizes that, regardless of Alaska's referendum legalizing recreational marijuana, it is still illegal under federal law. Officers engaged in cultivation or sale of marijuana, even with a license from the State of Alaska, are still violating federal law. Also under federal law, individuals who use, manufacture, or sell drugs cannot legally possess firearms; tools considered required for many criminal justice professions.

“While we do not have any current cases involving this conduct, in light of Alaskans’ proud entrepreneurial spirit, the council felt it may be only a matter of time before a certified officer considered pursuing a license to possess, distribute, or cultivate marijuana in Alaska,” stated Bob Griffiths, the Executive Director APSC. “The Council decided to send a loud and clear message to

those officers considering such an endeavor, that this activity was inconsistent with the ethics of professional law enforcement and is prohibited under current state regulations.”

“The direction given by the Council was clear,” said Griffiths, “If a certified officer engages in the cultivation and/or sale of marijuana, the Council will immediately act to revoke his or her certificate. Revocation of certification results in the officer being barred from serving as an officer for any agency in Alaska.”

In its history, APSC has revoked the certifications of nine officers for drug related misconduct and revoked, or disqualified from certification, 163 officers for a wide variety of other misconduct, Griffiths said.

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