



Alaska Association of Chiefs of Police

August 14, 2014

Big Marijuana. Big Mistake. Vote No on 2. Campaign
P.O. Box 240111
Anchorage, AK 99524

To Whom it May Concern:

In response to your query about the incarceration rates for minor marijuana offenses, I can only provide secondary information, but we have no reason to doubt its accuracy. In the course of investigating the impact of potential marijuana legalization in our state, the Alaska Association of Chiefs of Police queried the Alaska Department of Corrections (DOC) to see if we could find out how many prisoners were incarcerated on convictions that might be eliminated by legalization. We were told by DOC that as of the June 2014 prison census date; there were just **4 inmates in the Alaska corrections system who are imprisoned for Misconduct Involving Controlled Substances in the 6th degree (MICS-6)**. We were told each of these are known to be marijuana related convictions, but EACH of these prisoners also had other convictions--- sometimes multiple convictions--- which could keep them in prison even if their marijuana conviction did not exist. The concurrent convictions for these 4 inmates included Attempted Sexual Assault-2, Assault-4, Driving while under Suspension, Parole Violation, Misconduct involving Weapons, and Misconduct Including Controlled Substances in the 3rd degree.

We were told that in 2013 there were also 4 inmates incarcerated in the Alaska corrections system on MICS-6 convictions related to marijuana. Three of the 4 inmates had concurrent convictions--sometimes multiple concurrent convictions-- and these included Attempted Sexual Assault-2, Theft, Assault-4, Driving while under Suspension, Failure to Appear and Disorderly Conduct. We were told the one inmate who had no concurrent convictions had a series of other minor offense convictions just prior to the MICS-6 conviction which impacted his sentencing.

MICS-6 violations include simple possession or display of less than 1 ounce of marijuana. MICS-5 violations include manufacture and delivery; or possession with intent to manufacture or deliver, less than one ounce of marijuana or less than one ounce of a compound or substance containing marijuana. It should be noted that MICS-5 violations are not marijuana exclusive and could be prompted by an assortment of illicit drugs other than marijuana.

According to DOC, in 2014 there were 9 inmates in the Alaska correction system on MICS-5 convictions. Four of the 9 MICS-5 prisoners had convictions for other offenses which include Murder, Robbery, Car theft, Tampering with Evidence, False information and MICS-4 drug convictions. We do not know how many, if any, of the five remaining MICS-5 inmates are incarcerated on convictions related to manufacture and delivery of marijuana.

In 2013 there were also 9 inmates incarcerated with MICS-5 convictions. Five of the 9 MICS-5 prisoners had convictions for other offenses which would likely have them in jail even if marijuana legalization existed. These offenses include Murder, Robbery, Car theft, Tampering with Evidence, Disorderly Conduct, Driving While Impaired and MICS-4 drug convictions. We do not know how many, if any, of the four remaining MICS-5 inmates are incarcerated on convictions related to manufacture and delivery of marijuana, or if they are there because of other illicit drugs.

Based on the information we received from the Alaska DOC, we can only conclude that allegations that Alaskan prisons are teeming with prisoners whose only crime was simple possession of marijuana have been vastly overstated. There are roughly 3000 convicted inmates in the Alaska corrections system, and in 2014 it appears not one of those is there solely due to simple marijuana possession.

I hope this information is helpful. If you need further detail, questions should be directed to the DOC.

Respectfully,

A handwritten signature in black ink on a light-colored background. The signature reads "Kalie Klaysmat" in a cursive, flowing script.

Kalie Klaysmat, Executive Director