

# Testimony of Sheriff John Urquhart

## Senate Judiciary Committee

### September 10, 2013

Good afternoon members of the committee, Mr. Chairman. Thank you for having me today. My name is John Urquhart, and I am the Sheriff of King County, WA.

Seattle is located in King County, and with almost 2 million residents, we are the 14<sup>th</sup> largest county by population in the United States. I have over 1000 employees in the Sheriff's Office and a budget exceeding \$160 million.

As Sheriff, I am therefore the top law enforcement official in the largest jurisdiction in the country that has legalized marijuana.

I have been a police officer for 37 years, and I was elected as King County's Sheriff last year. During my career I've investigated everything from shoplifts to homicides. But I've also spent 12 years as a narcotics detective. My experience shows the War on Drugs has been a failure. We have not significantly reduced demand over time, but we have incarcerated generations of individuals, the highest incarceration rate in the world.

So the citizens of the state of Washington decided it was time to try something new. In November of 2012 they passed Initiative 502, which legalized recreational amounts of marijuana and at the same time created very strict rules and laws.

I was a strong supporter of Initiative 502 last year, and I remain a strong supporter today. There are several reasons for that support. Most of all, I support 502 because that's what the people want. They voted for legalized marijuana. We—the government—have failed the people and now they want to try something else. Too often the attitude of the police is "We're the cops and you're not. Don't tell us how to do our job." That is the wrong attitude and I refuse to fall into that trap.

While the title of this hearing is conflict between state and federal marijuana laws. I don't see a huge conflict.

The reality is we do have complimentary goals and values. We all agree we don't want our children using marijuana. We all agree we don't want impaired drivers. We all agree we don't want to continue enriching criminals. Washington's law honors these values by separating consumers from gangs, and diverting the proceeds from the sale of marijuana toward furthering the goals of public safety.

Is legalizing and regulating the possession and sale of marijuana a better alternative? I think it is, and I'm willing to be proven wrong. But the only way we'll know is if we are allowed to try.

DOJ's recent decision provides clarity on how we in Washington can continue to collaborate with the federal government to enforce our drug laws while at the same time respecting the will of the voters.

It's a great interim step, but more needs to be done.

For example, we are still limited by not knowing the role of banking institutions as we go forward.

Under federal law, it is illegal for banks to open checking, savings, or credit card accounts for marijuana businesses. The result is that marijuana stores will be operated as cash-only businesses, creating two big problems for us: (1) Cash-only businesses are prime targets for armed robberies; and (2) cash-only businesses are very difficult to audit, leading to possible tax evasion, wage theft, and the diversion of resources we need to protect public safety.

I am simply asking that the Federal government allow banks to work with legitimate marijuana businesses who are licensed under state law.

In closing let me make one thing absolutely clear. What we have in Washington State is not the Wild Wild West. And as Sheriff, I am committed to continued collaboration with the DEA, FBI, and DOJ for robust enforcement of our respective drug laws. For example, I have detectives right now assigned to Federal task forces, including a DEA HIDTA Task Force. It's been a great partnership for many years and that partnership will continue.

Furthermore the message to my deputies has been very clear: You *will* enforce our new marijuana laws. You *will* write someone a ticket for smoking in public. You *will* enforce age limits. You will put unlicensed stores out of business. In other words, the King County Sheriff's Office *will* abide by the standards and laws voted on and adopted by the citizens of the state of Washington, and the guidance provided by the Department of Justice on August 29<sup>th</sup>.

Mr. Chairman, I say to you and the members of this committee, I do appreciate the deference the federal government has shown to my constituents, and I look forward to continuing that cooperation. Thank you.