



KING COUNTY SHERIFF'S OFFICE
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John Urquhart
Sheriff

Senate Judiciary Committee Hearing
“Conflicts between State and Federal Marijuana Laws”
Questions for the Record Submitted by Senator Al Franken for
the Honorable John Urquhart, Sheriff, King County, WA

Question 1: Some studies indicate that enforcement of marijuana possession laws have a racially disparate impact. For example, a recent report found that African Americans are 3.73 times more likely to be arrested for marijuana possession than are whites, even though African Americans and whites use marijuana at similar rates. See “The War on Marijuana in Black and White,” American Civil Liberties Union at 9 (June 2013). The report says that this disparity increased significantly between 2001 and 2010, and it concludes that “[t]he war on marijuana has largely been a war on people of color.” *Id.* at 9.

- What are your thoughts on the racially disparate impact of marijuana possession laws?

John Urquhart – *I agree with reports stating that marijuana enforcement laws have historically been enforced against African Americans in a disparate manner. Police departments focus their limited resources where they feel they can best serve the community. This often means that if we are getting calls about drug dealing, or speeding, or loitering, we will try to respond to the community’s concerns and fix the problems by enforcing the laws available to us.*

The issue of marijuana enforcement is not just enforced in a racially disparate manner, but an economically disparate manner. People with lower incomes are more likely to publicly use drugs or engage in drug dealing, than those of higher incomes. Those with higher incomes are using in their own homes, or dorm rooms, etc. Therefore, lower income usage of marijuana becomes a more visible problem to the rest of the community, making the police more likely to receive complaints, and thus direct their resources to address it.

- What advice do you have for lawmakers who are concerned about these data?

John Urquhart – *The problems associated with drug use do not start at the time of arrest, but in the family unit. The determination is influenced by whether a child is receiving adequate early learning education, whether a student is learning in a safe and fulfilling environment, or whether an adult can become gainfully employed. I would encourage our lawmakers to implement policy that gives the greatest number of people the best opportunity to succeed, so they are less likely to turn to drug use, ultimately harming their own lives and those of their loved ones.*

- What advice do you have for law enforcement leaders who want to enforce the laws in a racially neutral manner?

John Urquhart – *I don't know that I have any advice for law enforcement leaders other than to be aware of their own biases, and to ask their police officers to do the same. We as police officers have a duty to enforce the law. When we identify laws that are having a net detrimental impact on society in their enforcement, I also consider it our duty to alert lawmakers to that fact. That's why I was so vocal about my support of I-502. In that case, the citizens of Washington were the policy makers, and I made it clear from my experience as a narcotics detective, that the old system of enforcement was not working, and we needed to try something new.*

Question 2: I want to thank the King County Sheriff's Office for its endorsement of the Justice & Mental Health Collaboration Act (JMHCA), which will extend federal support for mental health courts, crisis intervention teams, and veterans treatment courts. I believe that it makes sense to provide non-violent offenders with access to rigorous treatment and supervision programs in appropriate cases, and I know that our law enforcement officers face difficult challenges when they are asked to fill public health roles – such as responding to mental health crises in the community and overseeing the jails, where many people with mental illnesses are living.

- Could you please explain how JMHCA would help your office and your community?

John Urquhart – *The JMHCA is critical for supporting the safety net of some of our community's most vulnerable residents. My deputies see the impacts every day of defunding our mental health care system in King County and Washington State. The King County Jail has become the largest de facto mental health hospital in the entire state due to budget costs. Corrections and court costs are skyrocketing as cases are delayed as defendants are put on long waiting lists for assessments and treatment. And in the community, when law enforcement encounters people suffering from mental illness, it ends in tragedy. Earlier support may have prevented such an encounter. I stand firmly behind the goals of the JMHCA and urge its passage.*