A Phenomenological Qualitative Study to Discover the Attitudes and Perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime

Izedomi Ayeni
Brandman University, zayeni@yahoo.com

Follow this and additional works at: https://digitalcommons.brandman.edu/edd_dissertations

Part of the Criminal Law Commons, Law and Society Commons, and the Other Law Commons

Recommended Citation

This Dissertation is brought to you for free and open access by Brandman Digital Repository. It has been accepted for inclusion in Dissertations by an authorized administrator of Brandman Digital Repository. For more information, please contact jlee1@brandman.edu.
A Phenomenological Qualitative Study to Discover the Attitudes and Perceptions
of Police Officers on the Legalization of Recreational Cannabis and Crime

A Dissertation by

Izedomi Ayeni

Brandman University
Irvine, California
School of Education
Submitted in partial fulfillment of the requirements for the degree of
Doctor of Education in Organizational Leadership

May 2020

Committee in charge:
Dr. Tamerin Capellino, Ed.D., Committee Chair
Dr. Curtis McIntyre, Ed.D.
Dr. Rowlanda Cawthon, Ed.D.
BRANDMAN UNIVERSITY

Chapman University System

Doctor of Education in Organizational Leadership

The dissertation of Izedomi Ayeni is approved.

Tamerin Capellino, Dissertation Chair
Tamerin Capellino, Ed.D.

Curtis McIntyre, Ed.D.

Rowlanda N. Cawthon, Committee Member
Rowlanda N. Cawthon, Ed.D.

Douglas DeVore, Ed.D.

May 2020

Douglas DeVore, Associate Dean
A Phenomenological Qualitative Study to Discover the Attitudes and Perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime

Copyright © 2019

by Izedomi Ayeni
ACKNOWLEDGEMENTS

There are many people that I owe a great deal of gratitude. First, my late father for his love, guidance, and direction, for lessons taught as a child that I have been able to pull from as an adult. I have always said that he is the greatest person I ever had the pleasure of knowing. To my mother, for teaching me what compassion means and for always believing in me: thank you, I love you, Yesterday, Today, and Tomorrow. To my wife, Teri, who encouraged me to dream big and reach for the impossible, whom I credit with saving my life, who has never stopped supporting me, who has given me the greatest gift I could ever have asked for, my daughter Alexis: thank you. Her unconditional support and encouragement are the reasons I can complete this journey.

To my daughter, Alexis, who is by far the greatest achievement of my life and my greatest inspiration for pursuing higher education: thank you for allowing me to call myself your father. I love you. To my brother Toks, who made me believe that I can achieve anything I want if I apply myself: thanks. To my sisters, for always believing that I am destined to accomplish something bigger than I can imagine: Thank you.

To my online-cohort family members: online zetas for life. To my cohort mentor, Dr. Walt Buster: thank you for your guidance and direction throughout this journey and for making sure that I am aware of and proud of my accomplishments. To my committee; Dr. Capellino, Dr. McIntyre, and Dr. Cawthon; thank you for believing in my study.

Above all, God, thank you for granting me favor.

1 The LORD is my shepherd; I shall not want.

2 He maketh me to lie down in green pastures: he leadeth me beside the still waters.
3 He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake.

4 Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with me; thy rod and thy staff they comfort me.

5 Thou preparest a table before me in the presence of mine enemies: thou anointest my head with oil; my cup runneth over.

6 Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the LORD for ever.

Psalm 23 King James Version (KJV)
ABSTRACT

A Phenomenological Qualitative Study to Discover the Attitudes and Perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime

by Izedomi Ayeni

Purpose: The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police officers on the legalization of recreational cannabis and crime.

Methodology: This qualitative, phenomenological methodology employed the use of semi-structured interview questions consisting of open-ended questions to understand the lived experiences of Colorado Police and Sheriff Officers and their perspectives on the experiences with the legalization of cannabis and crime. The sample size of 16 officers was selected from the sampling frame, which included Denver Police officers and Larimer County Sheriff officers.

Findings: Analysis of the data from interviews resulted in the identification of 14 major findings; 1) Officers oppose legalization; 2) Officers have an unfavorable opinion regarding legalization because they feel it can lead to increased access/use of illicit drugs; 3) Officers feel that the only reason the state legalized cannabis is for the tax revenue it generates for the state; 4) Officers’ viewpoint is that legalization has led to more violent crimes; 5) Officers perceive that Amendment 64 was designed to change perceptions about legal recreational marijuana; 6) Officers feel that legalization has led to an increase in burglary; 7) Officers are cognizant of the possibility of an increase in organized crime activities; 8) Officers expressed displeasure with the decriminalization of non-medical use, possession, and purchase of narcotics; 9) Officers express how an increase in crime
has negatively impacted policing efforts; 10) Officers attribute an increase in homelessness and transient population as a symptom of the legalization of recreational cannabis; 11) Officers express frustration with lack of effective regulation; 12) Officers expressed that legalization has had no effect on timely responses to crime; 13) Officers expressed that the biggest challenge faced is maneuvering the demands of state versus federal law; 14) Officers express frustration in navigating the legal requirements relating to legal search and seizure.

**Conclusions:** As more states are considering legalizing cannabis for recreational use, these findings present significant suggestions for the state legislature and the members of the law enforcement community in those states.

**Recommendations:** Additional research should be conducted in other states to expand on the perceptions of the law enforcement community pre-and post-legalization of recreational cannabis and the impact it has on crime.
MARY JANE

Marijuana, also known as cannabis sativa, is the most commonly used illicit drug in the United States (National Institute on Drug Abuse [NIDA], 2019; Sidney, Beck, Tekawa, Quesenberry, & Friedman, 1997). Under federal law, the sale of cannabis for recreational use is illegal, and the Drug Enforcement Agency (DEA) classifies cannabis as a Class I drug. However, in December of 2012, Colorado became one of the first states to legalize cannabis for recreational use, and, in 2014, the first dispensaries opened for business (Bly, 2012; Ingold, 2014). Since then, the District of Columbia and 10 states, namely Alaska, California, Colorado, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington, have legalized the sale of cannabis for recreational purposes (National Conference of State Legislatures, 2019).

The debate about the legalization of recreational marijuana has been conducted in both public and private forums. There is data that compares the difference in crime rates pre- and post-legalization for recreational use by the states; however, there is limited data about how members of the law enforcement community perceive the effect of the legalization of cannabis on the crime rate in the state of Colorado.

The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police officers on the legalization of recreational cannabis and crime. Because of the size of the state of Colorado, the sample will be limited to officers with the Denver Police and Larimer County Sheriff officers with no less than five years in the force.
# TABLE OF CONTENTS

PREFACE ................................................................. viii

CHAPTER I: INTRODUCTION .............................................. 1
  Background ............................................................. 3
  Historical Perspectives on Cannabis Use in the United States .......... 4
  Legal Sale of Marijuana .................................................. 5
  Cannabis and Crime Rate in Colorado .................................. 8
  The Commission of the Crime of Burglary While Under the Influence .... 9
  Impact on Crime ................................................................ 11
  Diversion of Colorado Cannabis ........................................... 12

  Statement of the Research Problem ......................................... 12
  Purpose Statement ................................................................ 15
  Central Research Question .................................................... 15
  Research Questions ................................................................ 16
  Significance of the Problem ...................................................... 16
  Definitions – Theoretical & Operational .................................. 18
  Delimitations ....................................................................... 19
  Organization of the Study ....................................................... 20

CHAPTER II: REVIEW OF THE LITERATURE ............................ 21
  Methods of Searching ........................................................ 21
  History of Cannabis ........................................................... 22
  Early History of Marijuana in America ........................................ 23
  Introduced by Mexican Immigrants in 1910 ............................ 24
  Classified as an illegal drug by Congress in 1937 .................. 24
  Cannabis Classified as a Schedule I Drug ............................... 26
  The Journey to Legalizing Cannabis in The United States ............. 27
  Cannabis is legal for Medical Use ......................................... 27
  Federal Government Regulating Cannabis ............................... 29
  History of Cannabis in Colorado ........................................... 30
  Legalizing Cannabis for Sale in Colorado ............................... 31
  Legalizing Cannabis for Recreational Sale in Colorado ............... 31
  The Law ........................................................................... 32

  Impact of Legalization of Cannabis ........................................ 33
  Banking and IRS Section 280-E .............................................. 33
  Economic Impact of Legalization ............................................ 34
  Social Impact of Legalization ............................................... 36

  Impact on Law Enforcement .................................................. 36
  Diversion of Colorado cannabis ............................................ 39
  Current literature on attitudes and perception .......................... 41
  Police perceptions and attitudes toward the legalization of marijuana .. 43
  Conclusions ....................................................................... 51
CHAPTER III: METHODOLOGY ................................................................. 54
Overview ......................................................................................... 54
Purpose Statement ........................................................................ 54
Central Research Question ............................................................. 54
Research Questions ........................................................................ 55
Research Design ............................................................................. 55
Population ....................................................................................... 57
Sampling Frame ............................................................................. 58
Sample .......................................................................................... 58
Instrumentation ............................................................................. 63
Researcher’s Role as an Instrument of the Study ......................... 64
Field Testing of Interview Questions .............................................. 65
Validity and Reliability .................................................................. 66
Validity .......................................................................................... 66
Researcher bias ............................................................................. 66
Field test ....................................................................................... 67
Reliability ....................................................................................... 68
Inter-coder reliability ..................................................................... 68
Triangulation .................................................................................. 68
Data Collection .............................................................................. 69
Data Analysis .................................................................................. 72
Limitations ..................................................................................... 73
Summary ....................................................................................... 75

CHAPTER IV: RESEARCH, DATA COLLECTION, AND FINDINGS .......... 76
Overview ....................................................................................... 76
Purpose Statement ........................................................................ 76
Central Research Question ............................................................. 76
Research Questions ........................................................................ 76
Research Methods and Data-Collection Procedures .................... 77
Population ...................................................................................... 78
Sample ........................................................................................ 79
Demographic Data ........................................................................ 80
Presentation and Analysis of Data .................................................. 82
Interrater Reliability ....................................................................... 83
Research Question 1 ..................................................................... 83
Theme 1: Officers oppose legalization .......................................... 84
Theme 2: Officers have an unfavorable attitude regarding legalization
because they feel it can lead to increased access/use of illicit drugs .. 87
Theme 3: Officers feel the only reason the state legalized recreational cannabis is
for the tax revenue it generates for the state ................................... 90
Research Question 2 .................................................................... 92
Theme 1: Officers perceive that legalization of recreational cannabis has led to
more violent crimes ................................................................... 93
Theme 2: Officers perceive that the goal of Amendment 64 was to change
perceptions about recreational marijuana .................................... 95
CHAPTER V: FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

Purpose Statement

Central Research Question

Research Questions

Research Methods and Data-Collection Procedures

Population

Sample

Demographic Data

Major Findings

Emerging Themes

Research Question 1

What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?

Finding 1: A majority of officers oppose the legalization of recreational cannabis. Finding 2: Officers have an unfavorable opinion regarding the legalization of recreational cannabis because they feel it can lead to increased access/use of illicit drugs. Finding 3: Officers feel the only reason the state legalized recreational cannabis is for the tax revenue it generates for the state.

Research Question 2

What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?

Finding 4: Officers perceive the legalization of recreational cannabis has led to more violent crimes.
Finding 5: Officers perceive that the goal of Amendment 64 was to change perceptions about recreational marijuana ................................................. 132
Finding 6: Officers have the impression that the legalization of recreational cannabis will lead to an increase in burglary ................................................. 133
Finding 7: Officers are cognizant of the possibility of an increase in organized crime activities due to the legalization of recreational cannabis ............. 134
Research Question 3 ...................................................................................... 135
How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado? .......................................................... 135
Finding 8: Officers expressed displeasure with the decriminalization of non-medical use, possession, and purchase of narcotics................................. 135
Finding 9: Officers express how an increase in crime has negatively impacted policing efforts ......................................................................................... 136
Finding 10: Officers attribute an increase in homelessness and transient population as a symptom of the legalization of recreational cannabis. .......... 136
Finding 11: Officers express frustration with lack of effective regulation....... 137
Finding 12: Officers expressed that legalization has had no effect on timely responses to crime......................................................................................... 138
Finding 13: Officers expressed that expressed that the biggest challenge faced is maneuvering the legality of State versus Federal law. ......................... 138
Finding 14: Officers express frustration in navigating the legal requirements relating to legal search and seizure ................................................... 139
Unexpected Findings ...................................................................................... 140
Conclusions .................................................................................................. 140
  Conclusion 1: Officers oppose legalization of recreational cannabis but display pride and tenacity in the execution of their duties........................................... 141
  Conclusion 2: The legalization of recreational cannabis will require strong leadership to navigate the landscape in combating the possibility of an increase in organized crime activities................................................................. 141
  Conclusion 3: Making tough decisions while questioning the legality of state versus federal law will be required. .......................................................... 142
Implications for Action .................................................................................. 143
  Implication 1 ................................................................................................. 143
  Implication 2 ................................................................................................. 143
  Implication 3 ................................................................................................. 144
Recommendations for Further Research ...................................................... 144
  Recommendation 1 ...................................................................................... 144
  Recommendation 2 ...................................................................................... 145
  Recommendation 3 ...................................................................................... 145
  Recommendation 4 ...................................................................................... 145
  Recommendation 5 ...................................................................................... 145
  Recommendation 6 ...................................................................................... 146
  Recommendation 7 ...................................................................................... 146
  Recommendation 8 ...................................................................................... 146
Concluding Remarks and Reflections .......................................................... 146
LIST OF TABLES

Table 1: Number of Medical Marijuana Licenses issued between 2013 and 2015 ........ 35
Table 2: State State of Colorado Marijuana Taxes, Licenses and Fee Revenue........... 49
Table 3: Total Number Of Law Enforcement Employees By State and Agencies In The
Ten States Where Recreational Cannabis Is Legal ............................................. 57
Table 4: Participant Demographics .................................................................. 80
.......................................................................................................................... 126
Table 5: Demographic Breakdown .................................................................... 81
Table 6: Alignment of Sub Research Question 1 and Interview Questions .......... 83
Table 7: Frequency of Oppose Legalization: Theme 1 .................................... 84
Table 8: Frequency of Increased Use of Illicit Drugs: Theme 2 ....................... 87
Table 9: Frequency of Tax Revenue for the State: Theme 3 .......................... 90
Table 10: Alignment of Sub Research Question 2 and Interview Questions ....... 92
Table 11: Frequency of More Violent Crime: Theme 1 .................................... 93
Table 12: Frequency of Politics of the Amendment: Theme 2 ....................... 95
Table 13: Frequency of Increase in Burglary: Theme 3 ................................... 97
Table 14: Frequency of Increase in Organized Crime Activities: Theme 4 ........ 99
Table 15: Alignment of Sub Research Question 3 and Interview Questions ........ 104
Table 16: Frequency of Decriminalization of Non-Medical Use, Possession, and Purchase
Of Narcotics: Theme 1 ..................................................................................... 105
Table 17: Frequency of Increase in Crime Negatively Impacting Policing Efforts: Theme
2 ....................................................................................................................... 107
Table 18: Frequency of Increase in Homelessness and Transient Population: Theme 3 109
Table 19: Frequency of Lack of Effective Regulation: Theme 4 ....................... 111
Table 20: Alignment of Sub Research Questions and Interview Questions .................. 113
Table 21: Frequency of No Effect on Response Time: Theme 1. ............................. 114
Table 22: Frequency of the Legality of State vs. Federal Law: Theme 2 .................... 117
Table 23: Frequency of Illegal Search and Seizure: Theme 3 ................................. 119
Table 24: Alignment of Sub Research Questions and Interview Questions ................ 127
LIST OF FIGURES

Figure 1: Seizures of Colorado-sourced marijuana, by state of interdiction, 2013–2017 40

Figure 2: Marijuana Tax Cash Fund Budget, FY 2014-15-FY2019-20. .......................... 50

Figure 3: Distribution of Marijuana Tax and Fee Revenue FY 2018-19. ......................... 50

Figure 4: Population, sample frame, and sample .............................................................. 61

Figure 5: Building patterns of meaning. ........................................................................ 82
CHAPTER I: INTRODUCTION

The Drug Enforcement Agency (DEA), under the Controlled Substances Act, classifies cannabis as an illegal Schedule I drug. In the United States, drugs that have no accepted medical use in treatment but have a high potential for abuse where there is also the absence of accepted safety for use are classified as Schedule I drugs (Dea.gov). However, in 2012, the States of Colorado and Washington became the first to legalize cannabis for recreational use (Bly, 2012). Since then, the District of Columbia and 10 states, comprising Alaska, California, Colorado, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington, have legalized the sale of cannabis for recreational purposes (National Conference of State Legislatures [NCSL], 2019). Consequently, Colorado passed Amendment 64 in 2012, effectively legalizing the sale of cannabis for recreational use. Also, on September 24, 2013, the Colorado legislature introduced Proposition AA on the ballot, a tax bill on recreational marijuana with estimates that the fiscal impact of cannabis would result in approximately $70,000,000 in tax revenue if taxed at a 15% excise rate (Colorado.gov). The bill, which was introduced in April 2013 by state representative John Singer in the Colorado Legislature as House Bill 13-1318, was approved by the voters in November 2013 and enforced January 1, 2014 (Colorado General Assembly).

The state’s first legal recreational marijuana dispensaries opened for business on January 1, 2014 (Blake & Finlaw, 2014), and since the legalization of recreational cannabis, the crime rate in Colorado has been higher than the national average. The July 2015 Crime in Colorado report indicated that overall, Colorado saw a 6.2% increase in reported crimes statewide (Colorado Bureau of Investigation [CBI], 2016), and according
to Mclean and Westfeldt (2018), Colorado Governor John Hickenlooper had considered banning recreational cannabis sales in the state of Colorado. Between 2013 and 2016, Colorado experienced a 5% increase in the crime rate, while the national trend was downward. The same period saw an increase in violent crime of 12.5% while the national increase was less than 5%. There was also a 27.7% increase in auto theft, and a 5.9% increase in robberies and burglaries accounted for 46.9% of the major offenses reported (CBI, 2016, 2017).

“Colorado faced even more policy hurdles such as state law enforcement challenges” (Blake & Finlaw, 2014, p. 372), an increase in the transient population, and an increase in crime. According to Mclean and Weisfeldt (2018), Larimer County Sheriff Justin Smith said that 30% of the inmates in the jail are transients who admitted that they relocated to Colorado because of cannabis. Also, according to Mclean and Weisfeldt (2018), Lt. James Henning of the Denver Police Department believes that data is inconclusive in determining if crimes are being committed because of cannabis. Also, according to the Office of Drug Control Policy (ODCP, 2000), more than 36% of state prison inmates who committed property crimes were under the influence of drugs at the time of their offenses. However, the sale of cannabis created a tax boom for the state of Colorado, and according to a 2019 Colorado Department of Revenue publication, the combined recreational and medical sales of cannabis, which totaled $683.5 million in 2014, are expected to top $1.5 billion in 2018. Tax revenue went from $67 million in 2014 to $247.4 million in 2017 (Colorado Department of Revenue, [CDR], 2019).

Interestingly, according to a new Pew Research Center Survey, 62% of Americans surveyed about the legalization of cannabis for recreational use expressed a
positive response that recreational cannabis should be legal, reflecting a steady increase in the past decade (Pew Research Center, 2018). However, there still exists uncertainty about the legality of recreational cannabis because federal law does not recognize cannabis as a legal business. Additionally, there is the question of the long-term impact of legalized recreational cannabis on law enforcement.

**Background**

The sale of hemp dates back to Jamestown, Virginia, the first United States colony, which was founded in 1607 (Library of Congress). In 1619, the first General Assembly met in Jamestown, Virginia, to introduce “just laws for the happy guiding of the people” (Glasscock, 2011, p. 8). At the time, hemp, as a commercial crop, was used for the production of sails and rope (Small & Marcus, 2002; Swenson, 2015). In the 1619 assembly, the Virginia legislature enacted the 1619 laws, which required every farmer to grow hemp as part of their yearly crop (Lutz, 1988). “For hemp also, both English and Indian, and for English flax and aniseeds, we do require and enjoin all householders of this colony, that have any of those seeds, to make trial thereof the next season” (Lutz, D. as retrieved from *Journals of the House of Burgesses of Virginia*, vol. 1 (Richmond, 1905), 9–14.) Moreover, the states of Maryland, Pennsylvania, and Virginia accepted hemp as legal tender.

Historians believe that earlier versions of the Declaration of Independence and the Constitution of the United States were drafted on hemp paper (constitutioncenter.org). The domestic production of hemp flourished until after the Civil War, when imports replaced hemp and marijuana. By the late 19th century, marijuana, which is a natural plant that had been common in most cultures for centuries, became a popular ingredient
in many medicinal products and was sold openly in pharmacies (United States Customs and Border Protection, 2015), which effectively ended the commercial use of hemp.

**Historical Perspectives on Cannabis Use in the United States**

Though the history of cannabis in the new world can be traced back to the voyages of Christopher Columbus, the 1492 voyage created the Columbian Exchange, and according to Scully (2017), the practice of exchanging animals, plants, and culture with other nations included cannabis as part of the exchange. As a consequence, as early as 1545, hemp was seeded near the city of Santiago in Chile. However, during the Mexican Revolution of 1910, cannabis arrived in the United States for recreational purposes (Linden, 2015), and “unfortunately, despite its long beneficial history, the hysterical fear of the intoxicating properties of marijuana that developed in the 1920s and 30s became the excuse on which all forms of Cannabis were made illegal in the United States” (Deitch, 2003, p. 4).

Before 1937, cannabis had enjoyed a 5000-year history as a medicinal agent in many societies. Its brief tenure as an illegal and perilous sedative was overshadowed by its long-term role as medicine (Burnett & Reiman, 2014). In 1910, after the Mexican Revolution, recreational marijuana was introduced by Mexican immigrants. Fear of public nuisance caused Congress to pass the Marijuana Tax Act in 1937, thus criminalizing marijuana (Stack & Suddath, 2009). Also, in 1951, Congress passed the Boggs Act, followed by the Narcotics Control Act of 1956, which laid down mandatory sentences for drug offenders, including marijuana possessors and distributors (Caulkins et al., 2015; Stack & Suddath, 2009). Currently, the use of marijuana as a medicinal or recreational drug is still a controversial topic in the United States, even though marijuana
is one of the most widely used drugs nationally (Buchanan, 2015; Sidney, Beck, Tekawa, Quesenberry, & Friedman, 1997).

**Legal Sale of Marijuana**

In 1996, California voters passed Proposition 55, making California the first state to approve the use of marijuana for medical purposes. This act by California ended the 59-year-old labeling of cannabis as an illicit substance with no medicinal value (Burnett & Reiman, 2014). In 2012, the states of Colorado and Washington became the first to legalize marijuana for recreational use (Bly, 2012). Since then, the District of Columbia and eight additional 10 states, including Alaska, California, Maine, Massachusetts, Michigan, Nevada, Oregon, and Vermont, have legalized the sale of cannabis for recreational purposes (NCSL, 2019). However, there still exists some uncertainty about the legality of the recreational cannabis business because, according to the Drug Enforcement Administration (DEA), the organization that enforces the drug laws, cannabis is a Schedule I drug under the Controlled Substance Act (CSA), effectively making the manufacture, possession or distribution of marijuana a crime. The DEA Resource Guide (2017), states the following:

Schedule I drugs are classified as having a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use of the drug or other substance under medical supervision. (p. 9).

Until 1937, “cannabis had been listed in US pharmacopoeia [sic] as a tranquilizing substance, although users were cautioned against the consumption of large amounts” (Emmett & Nice, 2009, p. 29). However, the passage of the Marihuana[sic] Tax Act of 1937 regulated the importation, cultivation, possession, and distribution of marijuana, and
violation could result in a $2000 fine or a prison sentence not to exceed five years (U. S. Customs and Border Protection). In 1969, President Nixon identified drug abuse as a national threat and declared war on drugs, which in the 1970s led the United States government to classify cannabis as a Schedule I drug. The zero-tolerance position held by the federal government has led to a contentious legal debate in the United States. “The ethical dilemma at the core of this debate is whether the federal ban on the use of medical marijuana violates the physician-patient relationship” (Clark, Capuzzi & Fick, 2011, p.3).

Two federal court cases, the United States of America v. Oakland Cannabis Buyers’ Cooperative and Jeffrey Jones (2001) and Gonzales v. Raich (2005), assessed the role of the federal government in regulating medical-marijuana distribution (Coleman, 2006). The case addressed the constitutionality of the federal Controlled Substances Act (CSA). The state of California had legalized the medical use of cannabis when prescribed by a physician. Raich argued that under California's Compassionate Use Act (CUA), contrary to the CSA, individuals can grow marijuana for personal and medical use (Rosenbaum, 2005). Raich’s position, supported by her doctor, was that she had multiple prescriptions for her numerous medical conditions, and only marijuana helped her control her illness; thus, she needed marijuana to stay alive. The plaintiffs’ position was that “state-sanctioned personal cultivation of physician-recommended medical marijuana amounted to purely intra-state, legal, and non-commercial activity and that Congress lacked the power to prohibit such conduct” (Rosenbaum, 2005, p. 680).

The plaintiffs lost at trial; however, the United States Court of Appeals for the 9th Circuit enjoined application of the CSA, recognizing state-sanctioned medical marijuana
use as a “separate and distinct class of activities” that lay outside the purview of the Act. The courts in a 6-3 ruling concluded that “despite the fact that the plaintiffs’ conduct was intra-state and involved state-sanctioned medical activities, the Commerce Clause nonetheless vests Congress with the power to reach purely personal and intrastate conduct” (Rosenbaum, 2005, p. 680).

The Tenth Amendment to the U.S. Constitution was instrumental in increasing the power the states have relative to the federal government by giving power back to the states. States believe that the issue of legalization of cannabis falls under the protection of the Tenth Amendment, which states that “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people” (Constitution of United States of America 1789, p. 1767). The state of Colorado, exercising its power awarded to it by the Constitution, passed the Marijuana Legalization Initiative, Amendment 64, in 2012, essentially legalizing the sale of recreational cannabis (Bly, 2012). Since then, the District of Columbia and nine additional states which are Alaska, California, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington, have legalized the sale of cannabis for recreational purposes (NCSL, 2019). Colorado’s first dispensaries began selling cannabis on January 1, 2014. Subsequently, in 2015 alone, the legal marijuana industry in Colorado created more than 18,000 new full-time jobs and generated $2.4 billion in economic activity (Ingram, 2016). Over the next five years, Colorado issued over 50,000 medical marijuana licenses; however, under the current administration, the previous U.S. Attorney General, Jeff Sessions, compared cannabis to heroin, revoking President Barack Obama’s administration directive to the Justice Department that discouraged enforcement of the
law in states where cannabis was legal. According to Zapotosky, Horwitz & Achenbach (2018), support from the current administration made it easier to enforce federal marijuana laws in the states where marijuana is legal, thereby creating some confusion among the entrepreneurs in this billion-dollar industry.

**Cannabis and Crime Rate in Colorado**

The potential impact of legalized recreational marijuana on crime and public safety was an area of concern for law enforcement officials and legislatures (Colorado Department of Public Safety [CDPS] 2016); however, as no other state had legalized cannabis for recreational use, it was difficult to measure the potential impact of legalization on crime and law enforcement (CDPS, 2016). Because the state of Colorado does not have a statewide database to track the location of all reported crimes, the Denver Police has established a process allowing it to review reported crimes and to determine whether there is a definite connection between the commission of the crime and cannabis (Colorado Division of Criminal Justice, Department of Public Safety [COCDPS], 2016). Additionally, the classification of marijuana as a Schedule I drug by the DEA makes it illegal for any bank that is under the protection of the Federal Deposit Insurance Corporation (FDIC) to conduct business with legal marijuana businesses (Hill, 2015: Sullum, 2014). “Banking in the traditional sense is an aspiration rather than the norm—a big problem for an industry expected to balloon to $21 billion by 2021” (Dillow, 2017, para 8.).

Additionally, state-sanctioned recreational marijuana businesses must pay taxes under IRS code §280E, the same category reserved for income derived from trafficking of controlled substances, classified as Schedule I or II substances, as defined by the
Controlled Substances Act. As dispensaries are forced to conduct all transactions in cash, the process of delivering cash to the IRS for payment of taxes has proven to be difficult and challenging for the IRS. The IRS is forced to allocate more resources to fulfill the staffing needs required to accommodate taxpayers who are paying millions of dollars in cash, which has to be accounted for at the respective IRS offices (Dillow, 2017). Also, because of the uncertainty of the cannabis business sector as it relates to the law, the majority of non-FDIC banks, such as state banks and credit unions, are reluctant to serve the recreational marijuana business sector. This omission leaves the growers and recreational dispensary owners no other option but to conduct business mostly in cash, which has proved a catalyst for crime and a challenge for law enforcement (Dillow, 2017; Hill, 2015).

The Commission of the Crime of Burglary While Under the Influence

Recreational marijuana dispensaries and growers are unable to use a federally insured bank for their business transactions. According to Marquis Moore, COO of Denver cannabis business MMJ with 5 locations and 70 employees, as a result of their inability to open a bank account for business purposes, cannabis businesses pay for all business expenses in cash (Dillow, 2017). The criminal elements are aware of this, and some individuals are willing to risk their freedom by planning and carrying out break-ins and armed robberies. In an article in the Denver Post, Mitchell (2017) suggested that in 2016, Colorado witnessed an increase in crime rate, which was more than 11 times the average increase in crime reported in the 30 largest cities in the nation. The Colorado Bureau of Investigation released its 2015 crime in Colorado report in July, and the result showed a 6.2% increase in reported crimes statewide. “The category of Auto Theft saw
the largest change, with an increase of nearly 27.7%. Robberies in Colorado increased 5.9 percent to 3,518, and the number of aggravated assaults jumped 8.3 percent to 10,682” (Colorado Bureau of Investigation, [CBI] 2016. p.8.).

In 2016, law enforcement agencies in Colorado reported a total of 23,515 burglaries, which, compared to 2015, is an increase of 0.8%. Burglaries accounted for 46.9% of all major offenses reported (CBI burglaries in Colorado 2016, 2017). Robberies in 2016 in Colorado increased to 3,518 incidents, which represent a 5.9% increase from 2015. In 39% of those crimes, a firearm was used; however, non-firearm strong-arm tactics amounted to 1,314 reported cases or 37.4% of the robberies committed (CBI, 2017).

According to the CBI (2017), there were 11,667 forced-entry burglaries reported, accounting for 49.6% of the burglaries; 9,984 non-forced-entry burglaries, accounting for 42.5% of the burglaries; and 1,864 attempted burglaries reported, which accounted for 7.9% of the burglaries. Statistics indicate that more than 36% of state prison inmates who committed property crime were under the influence of drugs at the time of their offenses (Office of Drug Control Policy, 2000). Research also suggests that “legalization can lead to the involvement of organized crime given that the drug war, despite its multibillion-dollar cost, has failed to eliminate the production and trafficking of narcotics”(Crandall, 2013, p 230).

To restrict the flow of black-market marijuana, the Colorado General Assembly enacted House Bill 17-1220, which limits the number of homegrown plants an individual can possess from 99 to 16 (Colorado General Assembly, 2017). The previous limit of 99 plants created a homegrown commercial industry in residential neighborhoods that
fostered illegal activities. Under the new bill, licensed healthcare primary caregivers can still grow more than 16 plants, but they are required to do so in commercial grow areas.

**Impact on Crime**

According to Mclean and Weisfeldt (2018), Colorado Governor John Hickenlooper had considered banning the sale of recreational cannabis in the state of Colorado because, since the legalization of recreational cannabis in 2014, the crime rate in Colorado was higher than the national trend. The state’s crime rate was up 5% in 2016 compared with 2013, while the national trend was downward; however, Governor Hickenlooper regarded the legalization of cannabis as one of the most significant social experiments of the last 100 years (Hickenlooper, 2014).

The same period saw an increase in violent crime of 12.5% while the increase nationally was less than 5%. “The category of Auto Theft saw the largest change, with an increase of nearly 27.7%. Robberies in Colorado increased 5.9 percent to 3,518, and the number of aggravated assaults jumped 8.3 percent to 10,682, according to the CBI report” (Colorado Bureau of Investigation, 2016. p.8.). Colorado also saw an increase in traffic deaths. According to data from the Rocky Mountain High-Intensity Drug Trafficking Area (RMHIDTA) (2016), from 2013 to 2015, while all traffic deaths increased by 11%, marijuana-related traffic accidents increased by 48%.

When possible, blood tests were administered to determine if a person was driving under the influence of a controlled substance. 73% of the time, citations issued for driving under the influence returned positive screens for the existence of cannabinoids, a main ingredient of cannabis (Colorado Division of Criminal Justice, Department of Public Safety [COCDPS], 2018). “The number of fatalities with
cannabinoid-only or cannabinoid-in-combination positive drivers increased 153%, from 55 in 2013 to 139 in 2017” (COCDPS, 2018. p 50.). However, because cannabinoids can remain in the body for an extended period after the euphoric effect of cannabis has faded (Moeller, Kissack, Atayee, & Lee, 2017), the report acknowledges that the presence of cannabinoids is not an indication of impairment (COCDPS, 2018). Also, according to the Colorado State Patrol, data indicated that marijuana-related DUls increased by 16% in the first 10 months of 2016 compared to the same period in 2014 (Ghosh et al., 2017).

**Diversion of Colorado Cannabis**

Of great concern is the illegal transportation of cannabis across state lines. Law enforcement uses the term diversion to denote cannabis produced under a legal, medical, or recreational program but sold illegally. According to the RMHIDTA (2016), between 2013 and 2015, seizures of cannabis by the Colorado Highway Patrol increased 37% from 288 to 394. The seizures were intended for 36 different states; however, Illinois, Iowa, Missouri, and Florida were identified as the most common destinations. In addition to the issue of diversion, law enforcement is also dealing with the problem of illegal search and seizure as probable cause is required to administer a legal search warrant and, under the current conflicting law, the vagueness of the constitutional amendments makes it more challenging to obtain a search warrant (National Police Foundation, 2015).

**Statement of the Research Problem**

The District of Columbia and 10 states, including Alaska, California, Colorado, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington, have legalized the sale of cannabis for recreational purposes (NCSL, 2019). According to a Gallup poll, in 2018, 66% of Americans supported the legalization of marijuana, up from
64% in 2017 (Lopez, 2018). Despite the increase in acceptance by Americans, cannabis is classified as a Schedule I drug by the DEA, which makes it illegal under federal law.

In the 1970s, the purchase of cannabis in the Netherlands was decriminalized, paving the way for the legal sale of cannabis at commercial establishments called coffee shops (Ooyen-Houben, 2017). Over the years, municipalities in the Netherlands expressed concerns over the current lax coffee-shop policy and how it influenced public order, safety and the inability to combat crime effectively, prompting the government to launch an experimental process where they licensed a few suppliers to legally supply cannabis to coffee shops (Government of Netherlands). In the Netherlands, it is legal to purchase cannabis for personal consumption but illegal to grow it (Schuetze, 2018).

Unlike the Netherlands, the State of Colorado legalized the production and sale of cannabis for recreational use in 2012, making Colorado one of the first states to legalize cannabis for recreational use, and in 2014, the first dispensaries opened up for business (Bly, 2012; Ingold, 2014). However, in the five years that cannabis has been legal in Colorado, the rate of crime has surpassed the national trend, compelling the governor of Colorado to contemplate banning the sale of cannabis again (Mclean & Weisfeldt, 2018).

In 2015, the state of Colorado experienced a 6.2% increase in reported crimes statewide, including a 5.9% increase in robberies. The following year, 2016, also witnessed a total of 23,515 burglaries reported, which equates to an increase of 0.8% from 2015 (Colorado Bureau of Investigation, 2016). This increase in the number of burglaries accounted for 46.9% of the major offenses reported and affected those in the cannabis industry (Dokoupill & Briggs, 2014; Hughes, Schaible & Jimmerson, 2019). Cannabis is classified as a Schedule I drug, making it difficult for them to conduct
business with FDIC banks and accept alternate payment methods from their customers. As a result, most recreational cannabis businesses operated in cash and were targeted for the large amount of cash they have because they could not conduct business with FDIC banks (Colorado Bureau of Investigation burglaries in Colorado 2016, 2017; Dillow, 2017; Ward, Thompson, Iannacchione, & Evans, 2019).

The primary function of law enforcement is to serve and protect. Thus, one of the goals of Colorado law enforcement is to focus on crime prevention while being respectful to members of the community (Denver Police Department [DPD], 2018). However, with the legalization of cannabis, establishing probable cause to search for cannabis presents officers with a challenge due to the vagueness of the relevant amendment (National Police Foundation [NPF], 2015). Furthermore, cannabis can remain in the body for up to a week, and police do not have a way of testing in the field if someone is high (Davis et al., 2016; NIDA. 2018; Roth, 2017). Thus, out-of-state crime syndicates taking advantage of the laws in Colorado ship cannabis on the black market, thereby putting a strain on law enforcement’s time and resources, a practice referred to by the law enforcement community as “diversion” (Gerhardt, J. n.d.; Pizzo, L. 2018; Rocky Mountain High-Intensity Drug Trafficking Area [RMHIDTA], 2016).

There are two schools of thought about the legalization of cannabis and how members of law enforcement view it as it related to the increase in crime. According to Mclean and Weisfeldt (2018), Larimer County Sheriff Justin Smith said that 30% of the inmates in the jail are transients who admitted that they relocated to Colorado because of cannabis, while Lt. James Henning of the Denver Police Department believed that the data was inconclusive in determining if the commission of crime was due to cannabis.
Statistics suggested that legalization had resulted in an increase in the crime rate and in black-market production and transportation of cannabis (NPF, 2015; Stewart, 2018). Research indicates that there is an increased presence of organized crime due to legalization (Romero, Gutierrez, Blankstein, & Powell, 2018); however, more research is needed to discover how the members of law enforcement view the legalization of cannabis as it relates to the increase in crime.

Although there have been numerous studies conducted on crime and cannabis (Gerhardt, n.d.; Lopez, 2017; Morris, TenEyck, Barnes, Kovandzi, 2014), fewer have been done on the attitudes and perceptions of police departments and the role marijuana plays in the commission of different types of crime. A study by Jorgensen (2018) asserts that additional research needs to be conducted in this area specifically, thus creating a gap in the literature on the perceptions and attitudes of law enforcement regarding the legalization of recreational cannabis and crime. Petrocelli, Oberweis, Smith, and Petrocelli (2014) recommend that as the public becomes more accepting of cannabis, it is essential to understand how law enforcement officers view legalization.

**Purpose Statement**

The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police officers on the legalization of recreational cannabis and its impact on crime, and to determine how police officers perceive the legalization of cannabis has affected policing, police tactics and responses to crimes.

**Central Research Question**

What are the lived experiences of Colorado officers as it relates to the legalization of recreational cannabis and crime, policing, police tactics, and responses to crime?
Research Questions

1. What are the attitudes of Colorado officers on the legalization of recreational cannabis?

2. What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?

3. How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?

4. How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?

Significance of the Problem

“For unknown reasons, the research investigating police officers’ attitudes toward drug use is underdeveloped” (Jorgensen, 2018. P.2). When Colorado approved the recreational use of cannabis in 2012, (Bly, 2012; Ingold, 2014), Governor Hickenlooper issued Executive Order B 2012-004, proactively setting up a task force to identify any policy issues that arose from the implementation of Amendment 64, relying on parallels to the alcohol, gaming and tobacco industries (Hickenlooper, 2014).

Because Colorado was the first state to legalize cannabis for recreational use, lack of historical data made it difficult to conclude how legalization would affect public safety (Colorado Department of Public Safety [CDPS] 2018). However, in the five years that cannabis has been legal in Colorado, the rate of crime has surpassed the national trend, compelling the governor of Colorado to contemplate banning the sale of cannabis again (Mclean & Weisfeldt, 2018).
Critics argued that legalization would limit state legislative agencies' ability to address ambiguities and that cannabis, regarded as a gateway drug, would lead to increased use of other, more dangerous drugs (Blake & Finlaw, 2014). Data also suggest that in the last five years since the legalization of cannabis for recreational use, there has been an increase in the crime rate and the accident rate (CDPS, 2018; Colorado Bureau of Investigation [CBI], 2016; Deveaux, 2017; RMHIDTA, 2016); however, there is limited literature on the attitudes and perceptions of police officers as it relates to crime and the legalization of cannabis.

Recently, Chief John Aresta, President of the New York State Association of Chiefs of Police, and Chief Paul Oliva, President of the Westchester County Chiefs of Police Association, publicly expressed their opposition to the legalization of cannabis in New York for fear that the roads and highways would become more dangerous. They stated that more time is needed to study the pitfalls related to legalization (New York State Association of Chiefs of Police, 2019; Westchester County Chiefs of Police Association, 2019). Additionally, Beletsky, Macalino, and Burris (2005), Jorgensen (2018), and Petrocelli, Oberweis, Smith, and Petrocelli, (2014) emphasized the significance of studies into the police officers’ attitudes and perceptions regarding cannabis legalization and law enforcement policies. This gap in literature supports the need for further research into the topic.

Although the focus of this research is the state of Colorado, there is the potential for it to have national significance for the law enforcement community throughout the country. As more states are pursuing the legalization of cannabis for recreational use, this study is only growing in significance and can help to inform their decision-making
and policies (Miller, 2018). As of December 2018, 10 states and the District of Columbia have legalized cannabis for recreational use (NCSL, 2018).

The results of this study will enable the mayors of major cities, in collaboration with the police chiefs, to understand the challenges faced by the members of the force in the execution of their duties as police officers. Recreational cannabis business owners can also benefit from this study by gaining an insight into the challenges faced by members of law enforcement in policing and enforcing laws related to their business. Experts in the criminal justice field, such as prosecutors and defense attorneys, will benefit from this research topic by understanding the potential frustrations faced by the law enforcement community and interpretation of the law. State legislatures can use this research to understand the changing landscape of the population, the effect on the transient population, and its effect on crime.

**Definitions – Theoretical & Operational**

*Cannabis:* another name for marijuana (National Institute for Drug Abuse, 2018)

*Cannabinoid:* a type of chemical in marijuana that causes drug-like effects all through the body, including the central nervous system and the immune system. The main active cannabinoid in marijuana is delta-9-tetrahydrocannabinol (THC). (National Cancer Institute, n.d.)

*Hemp:* the fiber of the cannabis plant, extracted from the stem and used to make rope, fabrics, fiberboard, and paper, usually with less than 0.3% THC content (Drug Enforcement Agency, 2016)

*Marijuana:* a mind-altering drug produced by the cannabis sativa plant, with over 480 constituents (Drug Enforcement Agency, 2016).
Medical marijuana: the use of marijuana in the treatment of a medical problem as prescribed by a medical professional (Hickenlooper, 2014).

Policing: members of the law enforcement community enforcing laws that are enacted by elected officials in the legislature and that are interpreted by the courts (U.S. Department of Justice, Community Relations Services Toolkit for Policing, n.d.).

Police tactics and responses: routinely sending officers into communities and identifying potential problem areas, including hot-spotting, where police are disproportionately stationed in areas with higher crime rates; stop and frisk, focusing resources on high-rate offenders; and 911 response time (Maron, 2017).

Recreational marijuana: the use of marijuana for personal, nonmedical purposes (Hickenlooper, 2014).

Schedule I: category of drugs with no currently accepted medical use and a high potential for abuse (Drug Enforcement Agency, 2016).

THC: a delta-9-tetrahydrocannabinol believed to be the main ingredient in marijuana. The presence of THC is believed to produce the psychoactive effect of marijuana (Drug Enforcement Agency, 2016).

Delimitations

As qualitative research involves an understanding of the social phenomenon and human interactions, a qualitative researcher should reflect on logical assumptions when determining the method of obtaining data. Delimitations of a study are selected to elucidate the scope of the study. This study will explore the perceptions of the members of police departments as they relate to crime since the legalization of cannabis in
Colorado. This study was delimited to 16 law enforcement officers in Colorado from the Denver Police Department and Larimer County Sheriff.

**Organization of the Study**

This study is presented in five chapters. Chapter I chronicles the background of the study, and a description of why there is a need to study the perception and attitudes of the Denver Police Department as it relates to the legalization of cannabis and crime. Chapter I also includes the research questions, definitions of terms, and delimitations of the study. Chapter II reviews the literature related to cannabis and crime in the state of Colorado and the criminal justice system on this topic, and also an analysis of previously published research and how it relates to this research. Chapter III includes the research design, procedures, and methodologies used with data collection and analysis, and all ethical considerations taken to protect the participating officers. Chapter IV provides the findings of the study. Chapter V includes a summary of the findings, conclusions from the study, and recommendations for future research.
CHAPTER II: REVIEW OF THE LITERATURE

A review of the literature was conducted to provide context for this research. This literature review surveys the available literature that is relevant to this study. According to Pan (2017), a “literature review critically examines and synthesizes the literature on a chosen topic” (p.v). Additionally, a literature review sums up learned data about a topic to uncover any additional research that may need further investigation (Roberts, 2010). Section I of the literature establishes the history of cannabis in the United States. Section II follows with the journey to legalizing cannabis in the U.S., followed by Section III, which discusses the history of cannabis in Colorado. Sections IV and V follow with the impact of legalization of cannabis and the impact on law enforcement, including the perception of police officers about legalization as supported by the literature. This section of the dissertation concludes with a summary of the literature review.

Methods of Searching

A thorough search of relevant themes, literature, and words associated with this research was performed using the Brandman University Library, Denver Colorado Government publications, Research Gate, Sage publications, and various additional police and medical databases. Keywords such as marijuana, cannabis, recreational marijuana, recreational cannabis, California, medical marijuana history, Colorado legalization of recreational cannabis, Colorado’s legalization of recreational marijuana, Law enforcement perceptions, Colorado police officer perceptions, Police officer perceptions, Sheriff Officers perceptions, Larimar County Sheriff, hemp, history of hemp, Colorado crime rate from 2012-2018, changes in Colorado crime rate, Colorado
Amendment 64 and attitudes of Colorado law enforcement about the legalization of recreational cannabis were used.

Additional search sources included psychological and police journals, news publications, websites, and other scholarly journals that emerged in internet searches as relevant to the topic. Additionally, the researcher used numerous articles and publications to triangulate to the sources and authors of the original articles.

**History of Cannabis**

Marijuana, which is one of the most widely used drugs in the United States (Buchanan, 2015; National Institute on Drug Abuse [NIDA], 2018), is an intoxicant substance derived from the Cannabis sativa plant (Danovitch, 2012). Marijuana, which was at various times considered a commodity, a resource with medicinal properties and a dangerous and illegal drug has been a constant in American history until recently, when 11 states came to no longer view it as harmful and legalized its use for recreational purposes (National Conference of State Legislatures [NCLS], 2019). Marijuana was classified as an illegal drug; however, in 2012, the states of Colorado and Washington became the first to legalize cannabis for recreational use (Bly, 2012). Since then, the District of Columbia and 9 other states, including Alaska, California, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington, have legalized the sale of cannabis for recreational purposes (NCLS, 2019).

While the enforcement of federal and state drug laws is a function of police officers (Moore & Kleiman, 1989), with the legalization of cannabis on the state level, it seems that the state legislatures have not considered the impact on the police and sheriff officers (National Highway Traffic Safety Administration [NHTSA], 2017). The purpose
of this study was to discover the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and impact on crime and to determine how police and sheriff officers perceive the legalization of cannabis has affected policing, police tactics and responses to crimes.

**Early History of Marijuana in America**

The history of marijuana in the United States can be traced back to the 1492 voyage of Christopher Columbus and the creation of the Columbian Exchange. According to Scully (2017), the practice of exchanging animals, plants, and culture with other nations included cannabis. In 1545, with the arrival of the Spanish explorers to the new country, hemp was introduced to North America (Maisto, Galizio & Connors, 2014). As a consequence, as early as 1545, hemp was seeded near the city of Santiago in Chile (Linden, 2015).

As early as 1585, English explorer Sir Walter Raleigh, who assisted in establishing present-day Virginia, was thrilled about the idea of harvesting hemp in the American colonies. One of those colonies, founded in 1607, was Jamestown, Virginia (Library of Congress). By 1611, the colony had received orders to grow hemp (Gray & Thompson, 1933). In 1619, the first General Assembly met in Jamestown, Virginia, to introduce “just laws for the happy guiding of the people” (Glasscock, 2011, p. 8).

At the time, hemp, as a commercial crop, was cultivated and was used for the production of sails and rope (Small & Marcus, 2002; Swenson, 2015). In the 1619 assembly, the Virginia legislature enacted laws that required every farmer to grow hemp as part of their yearly crop (Lutz, D. 1988) by requiring farmers to set “100 [hemp] plants and the governor to set 5,000” (Abel, 1980, p. 77). Hemp kept its distinction as part of the
economic growth of the new world and the colonies all through the Civil War of 1861-1865, but by 1890, cotton replaced hemp as a leading cash crop in the new world (Considine, 2005).

**Introduced by Mexican Immigrants in 1910**

During the Mexican Revolution of 1910, cannabis arrived in the United States for recreational purposes (Linden, 2015). Immigrants were growing and smoking marijuana, which was a practice associated with the lower class in Mexico (Bonnie & Whitebread, 1999). Fear, prejudice and the association of various crimes with marijuana use formed the beginning of the anti-drug campaign. On December 17, 1914, as one of the *Public Acts of the Sixty-Third Congress of the United States*, President Woodrow Wilson signed the Harrison Narcotics Tax Act, which became the first federal regulation to begin controlling drug use. The regulation focused on opium and coca leaves. The Harrison Narcotics Tax Act, 1914, H.R 6282 states:

> An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes (p. 785).

**Classified as an illegal drug by Congress in 1937**

The introduction of the Harrison Act was a prelude to the beginning of the war on drugs. Harry Anslinger, who was the first appointed head of the U.S. Treasury Department's Federal Bureau of Narcotics, claimed that the use of marijuana could result in psychosis and, eventually, insanity (Adams, 2016). Anslinger compiled a file of various examples of brutal crimes that was referred to as the “Anslinger gore file.” The
file became one of the most potent weapons in the campaign against marijuana; it was a compilation of various examples of brutal murders and rapes allegedly committed by people high on marijuana.

While addressing the U.S. Congress, Anslinger referred to his “gore file” to justify harsher punishment for marijuana possession. Before addressing Congress in 1937, Anslinger (1937) had written an article in American Magazine titled “Marijuana, Assassin of Youth”, where he wrote:

How many murders, suicides, robberies, criminal assaults, holdups, burglaries, and deeds of maniacal insanity it causes each year can only be conjectured. The sweeping march of its addiction has been so insidious that, in numerous communities, it thrives almost unmolested, largely because of official ignorance of its effects (para 2).

Following Anslinger's depiction of the effects of cannabis consumption, fear of public nuisance caused Congress in 1937 to pass the Marijuana Tax Act, essentially criminalizing marijuana (Stack & Suddath, 2009). For 5000 years, prior to 1937, cannabis was used for its therapeutic properties, but the idea that cannabis was a dangerous and illicit drug led American society to ignore its medicinal properties (Burnett & Reiman, 2014).

In 1951, Congress passed the Boggs Act, followed by the Narcotics Control Act of 1956, which laid down mandatory sentences for drug offenders, including marijuana possessors and distributors (Caulkins et al., 2015; Stack & Suddath, 2009). The Narcotic Control Act of 1956 (United States Congress, 1956) Section 103 68 A Statute 860. 26
USC 7237 & 68 A, Section 7237 Statute 549, 560. 26 USC 470 1-4762 section A states the following:

Sec. 7237- Violation of laws relating to narcotic drugs and to marihuana [sic].

(a) where no specified penalty is otherwise provided. -

Whoever commits an offense, or conspires to commit an offense, described in part I or part II of subchapter A of chapter 39 for which no specific penalty is otherwise provided, shall be imprisoned not less than 2 or more than 10 years and, in addition, may be fined not more than $20,000. For a second offense, the offender shall be imprisoned not less than 5 or more than 20 years and, in addition, may be fined not more than $20,000. For a third or subsequent offense, the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000. (p. 568).

The passage of the Marihuana [sic] Tax Act of 1937 regulated the importation, cultivation, possession, and distribution of marijuana. Violation could result in a $2000 fine or a prison sentence not to exceed five years (U. S. Customs and Border Protection [CBP], 2015). In 1969, President Nixon identified drug abuse as a national threat and declared war on drugs.

**Cannabis Classified as a Schedule I Drug**

Up until 1937, “cannabis had been listed in US pharmacopoeia as a tranquilizing substance, although users were cautioned against the consumption of large amounts” (Emmett & Nice, 2008, p. 29); however, by 1942, marijuana was no longer so listed (Bridgeman & Abazia, 2017; Lee, 2013). “Unfortunately, despite its long beneficial history, the hysterical fear of the intoxicating properties of marijuana that developed in the
1920s and 30s became the excuse on which all forms of Cannabis were made illegal in the United States” (Deitch, 2003, p. 4). In the 1970s, the U.S. government implemented the Controlled Substances Act (CSA), classifying cannabis as a Schedule I drug (Clark, Capuzzi & Fick, 2011; Gabay, 2013; Thomas, 2010). According to the Drug Enforcement Administration (DEA), the organization that enforces U.S. drug laws, Schedule I drugs have no putative medical use and can be abused.

**The Journey to Legalizing Cannabis in The United States**

In 1972, under P.L. 92-255, the National Institute for Drug Abuse (NIDA) was established. The mission of NIDA was “to advance science on the causes and consequences of drug use and addiction and to apply that knowledge to improve individual and public health” (NIDA). According to NIDA, in the ’70s, there was an increase in the demand for cannabis materials. Consequently, on November 7, 1972, the state of California called for voters to vote yes on Proposition 19, which called for eliminating state penalties for Californians 18 years of age or older for using, possessing, growing, processing, or transporting marijuana for personal use. (Library of Congress [LOC], 1972). Though the ballot initiative lost, it became a catalyst in the movement to legalize cannabis.

**Cannabis is legal for Medical Use**

On July 9, 1975, in California, Governor Brown signed into law Senate Bill 95, which called for the decriminalization of cannabis and classifying the possession of less than an ounce of cannabis as a misdemeanor, punishable by a maximum fine of $100. (Budman, 1977; Roy, 2016). On November 5, 1996, Proposition 215, known as the Compassionate Use Act (CUA), was passed in California; thus, “California became the
first state to approve the use of marijuana for medical purposes, ending its 59 year reign as an illicit substance with no medical value” (Burnett & Reiman, 2014, para 11).

In November of 1976, Robert Randall, in the court case *US v. Randall, (D.C. Superior Court, D.C. Crim. No. 65923-75, ‘Criminal Law and Procedure: Medical Necessity’)*, defended himself against charges of marijuana cultivation. Randall, who was afflicted with glaucoma, used marijuana as a treatment and, consequently, was charged with marijuana cultivation. In his defense, he applied a lesser-known common law principle known as the doctrine of necessity. The foundation of the doctrine centers on the defendant demonstrating that the crime perpetrated was the lesser of two evils, that it prevented imminent harm, that there was a causal relationship between the crime committed and the crime averted, and that there was no legal option but to violate the law (Arnolds & Garland, 1974).


While blindness was shown by competent medical testimony to be the otherwise inevitable result of defendant’s disease, no adverse effects from the smoking of marijuana have been demonstrated … Medical evidence suggests that the medical prohibition is not well-founded (p. 2253).

With the ruling, Randall became the first American to receive marijuana for the treatment of a medical condition. Since then, 23 states have legalized marijuana for medicinal use, and 11 states have legalized marijuana for recreational use.
Federal Government Regulating Cannabis

The federal court cases, the *United States of America v. Oakland Cannabis Buyers’ Cooperative and Jeffrey Jones* (2001) and *Gonzales v. Raich* (2005), evaluated the role of the federal government in regulating medical-marijuana distribution (Lucia, 2016). The case addressed the constitutionality of the federal Controlled Substances Act (CSA). The state of California had legalized the medical use of cannabis when prescribed by a physician. Raich argued that under California's Compassionate Use Act (CUA), contrary to the CSA, individuals can grow marijuana for personal and medical use (Rosenbaum, 2005).

Raich’s position, supported by her doctor, was that she had multiple prescriptions for her numerous medical conditions, and that only marijuana helped her control her illness; thus, she needed marijuana to stay alive. The plaintiffs' position was that “state-sanctioned personal cultivation of physician-recommended medical marijuana amounted to purely intra-state, legal, and non-commercial activity and that Congress lacked the power to prohibit such conduct” (Rosenbaum, 2005, p. 680).

The plaintiffs lost at trial; however, the United States Court of Appeals for the 9th Circuit enjoined application of the CSA, recognizing state-sanctioned medical marijuana use as a “separate and distinct class of activities” that lay outside the purview of the Act. The courts in a 6-3 ruling concluded that “despite the fact that the plaintiffs' conduct was intra-state and involved state-sanctioned medical activities, the Commerce Clause nonetheless vests Congress with the power to reach purely personal and intrastate conduct” (Rosenbaum, 2005, p. 680).
In the case of *United States of America v. Oakland Cannabis Buyers’ et al.* No. 00-151, argued March 28, 2001 and decided May 14, 2001, Justice Thomas delivered the opinion of the Court as follows:

The Controlled Substances Act, 84 Stat. 1242, 21 U. S. C. § 801 et seq., prohibits the manufacture and distribution of various drugs, including marijuana. In this case, we must decide whether there is a medical necessity exception to these prohibitions. We hold that there is not (pg. 1. Para1).

The Supreme Court, however, concluded that state laws would not establish a legal precedent at the federal level, and all marijuana-related actions, regardless of the state laws, were going to be criminalized (Kamin, 2015). The Supreme Court also stated that it need not decide a constitutional question "such as whether the Controlled Substances Act exceeds Congress' power under the Commerce Clause." (*United States v. Oakland Cannabis Buyers’ Cooperative*, supra, 532 U.S. at p. 495, fn. 7, 121 S.Ct. 1711, 149 L.Ed.2d at p. 734, fn. 7.) We likewise need not and do not express any opinion concerning the Commerce Clause issue (*People v. Bianco*, 2001).

**History of Cannabis in Colorado**

It is of vital importance to understand the history of marijuana in Colorado and how Colorado arrived at the legalization of marijuana. In 1876, when Colorado became a state, marijuana was legal. In 1917, Colorado’s General Assembly passed bill *H.B.No. 263*, which was introduced by Democratic Representative Andres Lucero from Saguache. The bill called for the growing, sale, and use of cannabis to be classified as a misdemeanor punishable by a fine of $10 - $100, up to 30 days in jail, or both (Pelegrin & Carr, 2018). In 1929, with the passage of Senate Bill 49, the sale, possession, and
distribution of marijuana in Colorado became a felony punishable by one to five years in
the penitentiary (Breathes, 2012).

One of the reasons for the law, cited by Denver chaplain Val Higgins to the Rocky
Mountain News, was the murder of a woman in Denver by her stepfather, who was a
Mexican immigrant. Val Higgins believed that there was a need to control the growing
Mexican population, and that stricter regulations would achieve that. The belief was that
Mexican migrant workers had access to marijuana; thus, a consequence of more Mexican
agricultural workers is increased use of marijuana; therefore, stricter laws needed to be
implemented (Breathes, 2012).

Legalizing Cannabis for Sale in Colorado

Following the approval of the Compassionate Use Act in California, the states of
Alaska, Colorado, Hawaii, Maine, Nevada, Oregon, and Washington all enacted similar
measures by initiative or by legislative action. (United States v. Oakland Cannabis
Buyers’ Cooperative, supra, 532 U.S. at p. 491, fn. 4, 121 S.Ct. 1711 at p. 1717-1718, fn.
4, 149 L.Ed.2d 722 at p. 739, fn. 4). In November 2000, Colorado voters passed
Amendment 20 as codified at Section 14 of Article XVIII of the Colorado Constitution,
legalizing medical marijuana and decriminalizing the use of marijuana for medical
purposes (ncsl.org,.leg.colorado.gov). However, it was not until 2009 that retail medical
marijuana businesses were openly selling and operating in the state (Dohr, 2012).

Legalizing Cannabis for Recreational Sale in Colorado

In 2012, the states of Colorado and Washington became the first to legalize
Since then, the District of Columbia and nine other states, including Alaska, California,
Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington, have legalized the sale of cannabis for recreational purposes (Berke, 2018). When Colorado passed Amendment 64 in 2012, legalizing the possession of up to an ounce of marijuana for personal use for adults 21 years and older, it also authorized the state to collect an excise tax of up to 15% on marijuana (Colorado Department of Revenue, n.d.). Though Amendment 64 legalized the sale of cannabis for recreational use, the Drug Enforcement Agency (DEA), under the Controlled Substances Act, still classified cannabis as an illegal Schedule I drug. The Drug Enforcement Administration [DEA] Resource Guide (2017) defined Schedule I drugs thus:

Schedule I drugs are classified as having a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for the use of the drug or other substance under medical supervision. (p. 9)

The Law

The Tenth Amendment of the United States Constitution states that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people” (Constitution of United States of America 1789 (rev. 1992)). Essentially, the federal government has only the powers that were granted by the Constitution. This amendment was instrumental in increasing the power the states have relative to the federal government by giving power back to the states. Some states believe that the issue of legalization of cannabis falls under the protection of this amendment. This amendment defined the powers of the federal government to tax, police its citizens, implement and enforce regulations, thus
establishing the division of power between the federal government and the state
governments (Cornell Law School, n.d.).

Impact of Legalization of Cannabis

Colorado’s General Assembly passed SB 13-283 in 2013, directing the Colorado
Division of Criminal Justice to study the impact of legalization of cannabis in Colorado.
The study, conducted by the Colorado Department of Public Safety (CDPS), was shared
with state legislators and was regarded by Governor Hickenlooper as necessary data,
meant to be used as a baseline that would enable leaders to identify areas where resources
needed to be focused. Areas such as crime, DUI & traffic fatalities, seizures on public
lands, diversion out of state, hospitalization & ER visits, school discipline and
achievement, and youth usage and attitudes were discussed and analyzed (CDPS, 2018);
however, there was no analysis of the perception of police officers and the crime rate.

Banking and IRS Section 280-E

The classification of marijuana as a Schedule I drug by the DEA makes it illegal
for Federal Deposit Insurance Corporation (FDIC) banks to conduct business with a legal
marijuana business. Legal marijuana businesses must pay taxes under IRS code §280E,
the same category reserved for gross income from the sale of illegal drugs that are
classified as Schedule I or II substances, as defined by the Controlled Substances Act.
Section §280E reads as follows:

No deduction or credit shall be allowed for any amount paid or incurred during
the taxable year in carrying on any trade or business if such trade or business (or
the activities which comprise such trade or business) consists of trafficking in
controlled substances (within the meaning of Schedule I and II of the Controlled
Substances Act) which is prohibited by Federal law or the law of any State in which such trade or business is conducted (p.3)

According to Dillow (2017), the challenges faced by cannabis companies to secure banking for their business creates a problem for an industry that is expected to grow to $21 billion by 2021. Lack of traditional banking also creates problems for the Internal Revenue Service [IRS] at tax time as dispensaries are compelled to conduct all transactions in cash. The process of collecting tax revenues, which involves delivering cash to the IRS for payment of taxes, is draining on IRS resources. The IRS offices and state tax authorities have to count and account for millions of dollars in cash (Dillow, 2017). Some non-FDIC banks, such as state banks and credit unions, are reluctant to serve the recreational marijuana business sector, which leaves the growers and recreational dispensary owners no other option but to conduct business mostly in cash.

**Economic Impact of Legalization**

Legalization comes with an economic windfall, and it is essential to consider the economic effects of marijuana legalization (Caulkins et al., 2012). With the introduction of proposition AA on September 24, 2013, the Colorado Legislature presented a question about the fiscal impact of marijuana: “Shall state taxes be increased by $70,000,000 annually in the first full fiscal year and by such amounts as are raised annually thereafter by imposing an excise tax of 15%?” (Colorado Legislative Council Staff- Fiscal Impact Statement; Pramuck, C. 2013). Additionally, according to an article published by Felix (2018), in 2014, the total annual recreational marijuana sales were $303 million.

In 2015 alone, the legal marijuana industry in Colorado created more than 18,000 new full-time jobs and generated $2.4 billion in economic activity (Ingram, 2016). Over
the next five years, Colorado issued over 50,000 medical marijuana licenses (see Table 1). By 2017, recreational sales had grown to almost $1.1 billion, and medical sales were almost $417 million. Additionally, in 2017, Colorado collected more than $247 million in taxes and fees from the marijuana industry. “To put the magnitude of marijuana sales in perspective, personal consumption expenditures on all goods and services totaled $236.3 billion in 2016 in Colorado. Marijuana sales were $1.3 billion in 2016” (Felix A, 2018, para 4).

Table 1: Number of Medical Marijuana Licenses issued between 2013 and 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>Licenses Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>7,000</td>
</tr>
<tr>
<td>2014</td>
<td>16,000</td>
</tr>
<tr>
<td>2015</td>
<td>27,000</td>
</tr>
<tr>
<td>Total</td>
<td>50,000</td>
</tr>
</tbody>
</table>

The state of Colorado also experienced an increase of about 18,000 jobs and a $2.39 billion impact in 2015 alone (White, 2016). Critics in favor of legalization argue that between 2017 and 2025, with additional business tax revenues, withholding taxes, and sales taxes, legalization could provide an additional $105.6 billion to the federal government (Zhang, 2018). Currently, with cannabis as an illegal substance, the IRS, at tax time, has increased its cash-counting capacity at offices in Denver and Seattle due to the volume of cash coming in for payment of taxes (Dillon, 2017). “What we're witnessing now is a political movement giving birth to an economic awakening” (Barcott, B. 2014).
Social Impact of Legalization

Marijuana that is legally available for adults has multiple implications. One potential effect that legalization may have is an increase in use among adolescents due to increased availability, greater social acceptance, and possibly lower prices (Hopfer, 2014). There is a division in the medical profession regarding the use of marijuana as a prescribed drug. Shi (2017) tells us that research in the area of marijuana use and health suggests that its impacts on severe health consequences such as hospitalizations remain unknown while research by the National Institute on Drug Abuse (NIDA, 2017) suggests that marijuana users may be more likely than nonusers to misuse prescription opioids and to develop prescription opioid use disorder.

Olfson, Wall, Liu and Blanco, (2017), in an article in the American Journal of Psychiatry, concluded that cannabis use appears to increase rather than decrease the risk of developing nonmedical prescription opioid use and opioid use disorder. Research also suggests that legalization can lead to the involvement of organized crime given that the drug war, despite its multibillion-dollar cost, has failed to eliminate the production and trafficking of narcotics (Crandall, 2013). Additionally, various other scholars (Cerda, Wall, Keyes, Galea, & Hasin, 2012; Chu, 2014; Stolzenberg, D’Alessio, & Dariano, 2016; Wen, Hockenberry, & Cummings, 2015; Wong & Lin, 2016) have also suggested that legalization of medical marijuana can result in increased use.

Impact on Law Enforcement

Legalization of recreational cannabis in 2012 with the passing of Amendment 64 provided a framework for regulation about use, purchase, consumption, and transportation of no more than an ounce of marijuana (Garvey & Yeh, 2014). According
to Hopfer (2014) and Wilkinson, Yarnell, Radhakrishnan, Ball, and D'Souza (2016), legalization also resulted in unknowns, such as the potential effect on public health and safety. According to Crandall (2013), the war on drugs that cost billions of dollars failed to eradicate the production and trafficking of narcotics; thus, there is the possibility that organized crime will be prominent in the legal marijuana trade.

In an effort to restrict the flow of black-market marijuana, the Colorado General Assembly enacted House Bill 17-1220, which limits the amount of homegrown plants an individual can possess from 99 to 16, and House Bill 17-1221 a marijuana grant program set up to reduce the sale of grey- and black-market marijuana (Colorado General Assembly). While the legislatures and the public were preoccupied with discussing the impact of legalization on crime, no attention was given to the impact that marijuana legalization has had on law enforcement officers. However, a 2015 focus group interview of law enforcement officers by the Police Foundation cautioned that the lack of a statewide data collection system makes it impossible to fully understand the impact of legalized marijuana on crime in the state of Colorado (Police Foundation, 2015).

Advocates argue that as a result of legalization, there is some likelihood of a reduction in the illegal cannabis trade, which could result in a decrease in criminal activity (Maier, Manes & Koppenhofer, 2017). Opponents argue that legalization can lead to increased crime (Hickenlooper, 2015) and an increase in health problems (Wilkinson, Yarnell, Radhakrishnan, Ball, & D'Souza, 2016). Although cannabis is legal in 33 states for medicinal purposes and in 11 states for recreational purposes, it is still a Schedule I drug under federal regulations (Chu, 2014).
While law enforcement has been an integral part of American history, and the primary function of law enforcement is to serve and protect, over time, its function and responsibility have evolved (Cooper, 2015). Today, the police force is the first line of defense in the resolution of drug-related offenses. In 1970, the Comprehensive Drug Abuse Prevention and Control Act was established, and one of its primary functions was to provide an increase in funding to expand law enforcement to fight the war on drugs (U.S. Department of Justice, 2000).

In 2015, over 113 million Americans aged 18 or older (nearly 46.9%) admitted to having tried marijuana in their lifetime (Center for Behavioral Health Statistics and Quality, 2016). According to the FBI crime report (2015), also in 2015, the number of arrests for drug abuse violations was approximately 1.5 million, of which 38.6% were for marijuana possession, and 4.6% were for marijuana sale or manufacturing. Also, in Colorado in 2015, according to the Colorado Bureau of Investigation crime report (July 2016), there was a 6.2% increase in reported crimes statewide. “The category of Auto Theft saw the largest change, with an increase of nearly 27.7%. Robberies in Colorado increased 5.9 percent to 3,518, and the number of aggravated assaults jumped 8.3 percent to 10,682” (Colorado Bureau of Investigation, 2016. p.8.).

In 2016, law enforcement agencies in Colorado reported a total of 23,515 burglaries, which, compared to 2015, is an increase of 0.8%. Burglaries accounted for 46.9% of the major offenses reported (Colorado Bureau of Investigation, [CBI] burglaries in Colorado 2016, 2017). Robberies in 2016 in Colorado increased to 3,518 incidents, which represent a 5.9% increase from 2015. A firearm was used in 39% of those crimes;
moreover, strong-arm tactics amounted to 1,314 reported cases of 37.4% of the robberies committed (CBI, 2017).

**Diversion of Colorado cannabis**

Of great concern is the illegal transportation of cannabis across state lines. Law enforcement uses the term “diversion” to describe cannabis produced under a legal, medical, or recreational program but sold illegally. According to Colorado House Majority Leader K.C. Becker, diversion can ultimately jeopardize Colorado’s billion-dollar industry if Colorado becomes a source of marijuana in states where it is illegal (Eason, 2017). According to the Rocky Mountain High Intensity Drug Trafficking Area [RMHIDTA] (2016), between 2013 and 2015, the seizures of cannabis by the Colorado Highway Patrol increased 37% from 288 to 768 seizures. The seizures reportedly were destined for 36 different states, with Illinois, Iowa, Missouri, and Florida identified as the most common destinations (see Figure 1).

According to the Colorado Department of Public Safety [CDPS], from 2012 to 2015, the number of seizures reported by the El Paso Intelligence Center increased from 286 to 768, but the number declined thereafter, from 673 in 2016 to 608 in 2017. However, from 2010 to 2017, U.S. Postal Service seizures increased from 15 parcels containing 57 pounds of marijuana to 1,009 parcels containing 2001 pounds of marijuana. That said, it is prudent to note that the Colorado Division of Criminal Justice [CDCJ] (2018) report on the impact of marijuana in Colorado, written pursuant to Senate Bill 13-283, states:

There is also no central database to which all law enforcement agencies report drug seizures and the originating state of the drug. The Colorado Information
Analysis Center (CIAC), in the Department of Public Safety, is developing a comprehensive overview of where and how marijuana is being diverted out of Colorado. (p. 60)

*Figure 1*: Seizures of Colorado-sourced marijuana, by state of interdiction, 2013–2017
Source: Colorado Information Analysis Center, data extracted from the National Seizure System

The bordering states of Kansas and Nebraska accounted for 65% of the intercepted marijuana (CDCJ); however, no significant empirical studies have been given to these bordering states. Consequently, in December 2014, the states of Nebraska and Oklahoma filed a motion in court seeking leave to file a complaint against Colorado (*Nebraska et al. v. Colorado*, 2014). The states claimed that Colorado Amendment 64, which legalized, regulated, and facilitated the sale and use of marijuana for recreational purposes, is in violation of the federal drug laws, citing *Gonzales v. Raich*, 545 U. S. 1, 12 (2005). Furthermore, one of the consequences of the amendment is the “increased trafficking and transportation of Colorado-sourced marijuana” (*Nebraska et al. v. Colorado*, 2014). Consequently, to fight the increased trafficking of illegal narcotics
through their states, an increase of “law enforcement, the judicial system, and penal
system resources” was necessary (Nebraska et al. v. Colorado, 2014).

In addition to the issue of diversion, law enforcement is also dealing with illegal
search and seizure as probable cause is required to administer a legal search warrant and,
under the current conflicting laws, the vagueness of the relevant constitutional
amendments makes it more challenging to obtain a search warrant (National Police
Foundation [NPF], 2015). Also, a 2015 report from the Police Foundation and the
Colorado Association of Chiefs of Police highlights the impact that Colorado’s
legalization law has had on the ability of law enforcement to investigate illegal marijuana
activities. According to the report, some of the Colorado police officials that were
interviewed found the conflicting laws regulating the cannabis and recreational marijuana
industry troubling. This conflict made it “more difficult for them to establish just cause
for a search warrant” (Police Foundation, 2015, p.13).

While members of the legislature and the public are more concerned about the
impact legalization has on crime, economic windfalls, and drug abuse (Ward et al., 2018),
researchers have not identified the attitudes and perceptions of Colorado police officers
on legalization and crime. However, according to Ward et al. (2018), to understand and
limit some of the challenges faced by police officers concerning the legalization of
marijuana, future research should include interviews designed to discuss their perceptions
and challenges.

Current literature on attitudes and perception

The legalization of marijuana for recreational use is relatively new in comparison
to its acceptance for medical use; thus, not much empirical attention has been given to the
attitudes and perceptions of police officers. There is little literature about recreational marijuana in general and less about the attitudes and perceptions of law enforcement. Sz-De Yu (2005), in his dissertation, examined the potential impact of legalizing marijuana on health, crime, and the economy, but did not address its impact on law enforcement.

Hoffnagle (2015), in her dissertation, focused on sensemaking and how Denver, Colorado made sense of recreational marijuana, but not on the attitudes and perceptions of the officers about legalization. Wilson (2018), in his dissertation, discussed the attitudes of police officers about hiring policies that allow for their peers with previous marijuana consumption to be considered for employment with the police department.

Gaines and Kappler (2014), in their book Policing in America, Eighth Edition, gave us a comprehensive look at critical issues in policing today in America. Also, Petrocelli, Oberweis, Smith, and Petrocelli (2014) examined the attitudes and perceptions of police officers’ responses toward drug-related crimes. In their research, they highlight the need to understand the perceptions and attitudes of law enforcement: “If officers’ attitudes about the law and how the system implements the law have been shown to be significant in other realms of policing, it is logical to assume that they are relevant to drug enforcement, also” (p. 23). Despite the increased focus on police officer attitudes in other areas, such as attitudes towards authority (Weisburd, Greenspan, Hamilton, Williams & Bryant, 2000), overdose prevention and response (Green, Zaller, Palacios, Bowman, Ray, Heimer & Case, 2014), policing practices (Carlan & Lewis, 2009; Poteveva & Sun, 2009), and rape cases (Brown, 1998; Campbell & Johnson, 1997; Page, 2007, 2008), there is almost nothing known about police officers’ attitudes about drug enforcement and the legalization of cannabis.
Police perceptions and attitudes toward the legalization of marijuana

The attitudes and perceptions of police officers about the legalization of recreational cannabis in Colorado are a vital topic to explore. Police officers have to serve and protect (Dunham & Alpert, 2015; Nicolet, 2018). Police officers, who are at the front line of the war on drugs (Petrocelli et al., 2014) have the authority to use their discretion in the resolution of a crime. It is in this context that their attitudes and perception about drugs and the enforcement of the law are essential.

Evidence suggests that police officers, based on their enforcement of the law, their understanding of the war on drugs, and their perceptions, attitudes, and biases about specific situations they have previously encountered, as well as their interaction with offenders and the degree of discretion applied to those interactions, can be influenced (Gaines & Kappeler, 2005; National Academies of Sciences, Engineering, and Medicine, 2018). It is in this context that an understanding of the perceptions of Colorado police officers about the legalization of recreational cannabis and crime in Colorado is essential and needs exploring.

Although there have been numerous studies conducted on the subject of crime and cannabis (Gerhardt, n.d.; Lopez, 2017; Morris, TenEyck, Barnes, Kovandzi, 2014), and on drug-impaired driving (Berning, Compton & Wochinger, 2014; Bondallaz, Favrat, Chtioui, Fornari, Maeder, & Giroud, 2016; Cuttler, Sexton, & Mischley, 2018), fewer have been done on perceptions of the police officers and the role marijuana plays in the commission of different types of crime. According to Jorgensen (2018), “for unknown reasons, the research investigating police officers’ attitudes toward drug use is underdeveloped” (Jorgensen, 2018. p. 2).
Additional studies have been conducted drawing parallels between cannabis and alcohol (Anderson & Reese, 2014), the potential impact of legalized recreational marijuana on crime and public safety (Colorado Department of Public Safety, 2016), driving under the influence, and the effect of marijuana abuse on youth (Anderson & Reese, 2014; Larkin, 2015). Ward, Thompson, Iannacchione and Evans (2017) surveyed cannabis owners and dispensaries to understand their perception and understanding of the conflicting federal and state laws relating to the cannabis business.

Literature has also addressed the legalization of recreational cannabis from a medical perspective (Bibel, 2017; Bull, Brooks-Russell, Davis, Roppolo, & Corsi, 2017; Cerdá, Wall, Keyes, Galea, & Hasin, 2012; Hopfer, 2014; Mejta, 2016; Monte, Zane, & Heard, 2015; & Shi, 2017). According to Shi (2017), research in the area of marijuana use and health suggests that its impacts on severe health consequences such as hospitalizations remain unknown while the National Institute on Drug Abuse (NIDA, 2017) research suggests that marijuana users may be more likely than nonusers to misuse prescription opioids and develop prescription opioid use disorder. Olfson, Wall, Liu & Blanco (2017), in an article in the American Journal of Psychiatry, concluded that cannabis use appears to increase rather than decrease the risk of developing nonmedical prescription opioid use and opioid use disorder. Shi (2017) also indicates that the prevalence of opioid pain reliever (OPR) use and outcomes has increased dramatically. Recent studies suggested unintended impacts of legalizing medical marijuana on OPR, but the evidence is still limited. Monte, Zane, and Heard (2015), in the Journal of the American Medical Association, discussed the history of medical marijuana policy in
Colorado and the impact of increased marijuana availability. One finding was an increase in the number of emergency-room visits for pure marijuana intoxication.

Bull et al. (2017) and Bruni (2013) discussed the conflict between the federal government and the state and the expectation by the United States Justice Department to ensure that legal cannabis is not accessible to minors. A growing concern with legalization is the consumption of marijuana products by young people, and according to Bull et al. (2017), there is little information available about the attitudes and perceptions of the youth about marijuana use and legalization. The researchers sampled 241 youths and concluded that while over 75% of them discuss marijuana with their parents, just over 50% perceived a moderate to high risk from daily consumption.

When Colorado approved the recreational use of cannabis in 2012 (Bly, 2012; Ingold, 2014), Governor Hickenlooper proactively set up a task force to identify any policy issues that arose, relying on parallels to the alcohol, gaming and tobacco industries (Hickenlooper, 2014). The task force was comprised of health experts, law enforcement representatives, marijuana consumers, and members of the Colorado business community. The goal of the task force was a smooth and efficient implementation of Amendment 64. Recommendations from the task force were based on principles that called for the following:

a) Promote the health, safety, and well-being of Colorado’s youth.

b) Be responsive to consumer needs and issues.

c) Propose efficient and effective regulation that is clear and reasonable and not unduly burdensome.

d) Create sufficient and predictable funding mechanisms to support the
regulatory and enforcement scheme.

e) Create a balanced regulatory scheme that is complementary, not duplicative, and clearly defined between state and local licensing authorities.

f) Establish tools that are clear and practical, so that interactions between law enforcement, consumers, and licensees are predictable and understandable.

g) Ensure that our streets, schools, and communities remain safe.

h) Develop clear and transparent rules and guidance for certain relationships, such as between employers and employees, landlords and tenants, and students and educational institutions.

i) Take action that is faithful to the text of Amendment 64. (p. 244)

Hickenlooper (2014) also admitted that this was unchartered territory and drew parallels to the alcohol, tobacco, and gaming industries to address issues related to public health and public safety, especially underage use of cannabis. One of the conclusions arrived at by Hickenlooper was that the complexity and dynamic nature of legalizing a controlled substance presented unique challenges for Colorado law enforcement and business owners; however, upholding the will of the voters was non-negotiable.

According to Mclean and Weisfeldt (2018), Colorado Governor John Hickenlooper had considered banning recreational cannabis sale in the state of Colorado. Since the start of recreational cannabis sales in 2014, the crime rate in Colorado had risen above the national trend. The state’s crime rate was up 5% in 2016 compared with 2013, while the national trend was downward. The same period saw an increase in violent crime of 12.5% while the national rate increase was less than 5%. “The category of Auto Theft saw the largest change, with an increase of nearly 27.7%. Robberies in Colorado
increased 5.9 percent to 3,518, and the number of aggravated assaults jumped 8.3 percent to 10,682, according to the CBI report” (Colorado Bureau of Investigation, 2016. p.8.).

According to Berning, Compton & Wochinger (2014), a significant concern with decriminalization is impaired driving, and according to a 2014 National Highway Traffic Safety Agency (NHTSA) survey, from 2007 to 2014 there was a 30% decrease in measurable alcohol levels of nighttime drivers. However, there was an increase of 47% in the number of nighttime drivers that tested positive for driving while under the influence of marijuana. Colorado also saw an increase in traffic deaths and, according to the Rocky Mountain High Intensity Drug Trafficking Area [RMHIDTA] (2016), from 2013 to 2015, while all traffic deaths in Colorado increased by 11%, marijuana-related traffic accidents increased by 48%.

Citations for driving under the influence, where blood tests were administered returning a positive screen for the existence of cannabinoids (a main ingredient of cannabis), rose by 73% (Colorado Division of Criminal Justice, Department of Public Safety [COCDPS]). “The number of fatalities with cannabinoid-only or cannabinoid-in-combination positive drivers increased 153%, from 55 in 2013 to 139 in 2017,” (COCDPS, 2018, p.3) the report states, going on to note that “detection of cannabinoid in blood is not an indicator of impairment but only indicates presence in the system” (COCDPS, 2018, p.3). Also, according to the Colorado State Patrol, data indicated that marijuana-related DUIs increased by 16% in the first 10 months of 2016 compared to the same period in 2014 (Ghosh et al., 2017).

Wilson (1968), from researching eight communities—Albany, Amsterdam, Brighton, Nassau County, Newburgh, and Syracuse in New York, along with Highland
Park, Illinois and Oakland, California—discusses some of the problems that officers, specifically patrolmen, face due to constraints imposed by law, politics, public opinion and the expectations of their superior officers. Wilson concluded that the patrolman, who is the primary line of defense, has the responsibility of enforcing the laws that are the most ambiguous.

Walker (1993) alludes to the fact that police officers have the authority to exercise discretion in decision-making, citing the case of *Tennessee v. Garner* (1985), where Judge White delivered the opinion of the court, stating that the officer in the case used deadly force in the execution of his duties despite being “reasonably sure” that the suspect posed no threat. Petrocelli, Oberweis, Smith, and Petrocelli (2014) also suggested that police officers have the authority to use their discretion in the resolution of a situation.

Ward et al. (2018) conducted research on the impact of marijuana legalization on law enforcement in states surrounding Colorado. Based on the results of their surveys, they concluded that law enforcement officers regard the legalization of cannabis as having a negative impact on the administration of their duties as officers due to an increase in the potency of marijuana, strain on resources, and juvenile use, and that officers regard legalization as a drain on their resources.

However, Caulkins & Kilmer (2016) suggests that a positive effect of decriminalization and legalization will be less time and resources spent by law enforcement in enforcing drug-related laws. Colorado collected over $1 billion in marijuana tax revenues between 2014 and 2018 (Colorado Department of Revenue [CDR], 2019) (see Table 2).
Table 2

State of Colorado Marijuana Taxes, Licenses and Fee Revenues

<table>
<thead>
<tr>
<th>Calendar Year</th>
<th>Revenue</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>$67,594,323</td>
<td>$67,597,323</td>
</tr>
<tr>
<td>2015</td>
<td>$130,411,173</td>
<td>$198,005,496</td>
</tr>
<tr>
<td>2016</td>
<td>$193,604,810</td>
<td>$391,610,306</td>
</tr>
<tr>
<td>2017</td>
<td>$247,368,473</td>
<td>$638,978,779</td>
</tr>
<tr>
<td>2018</td>
<td>$266,529,637</td>
<td>$905,508,416</td>
</tr>
<tr>
<td>2019</td>
<td>$164,115,354</td>
<td>$1,069,623,770</td>
</tr>
</tbody>
</table>

Note. Calendar year as defined: January 1-December 31. Updated August 2019
2014 Calendar year from Feb. to Dec. 2019 Calendar year from Jan. to July

The Colorado Bureau of Investigation’s (2018) report on Colorado crime statistics indicates an increase of 7.95% in the category of Violent Crime in 2018 compared to 2017. According to the Colorado Department of Revenue, of the over $1 billion collected in revenues, 2.6% (see Figure 2) has been dedicated to public safety.

Additionally, for the budget year 2018 to 2019 of the 90% retained by the state (see Figure 3) for its share of the tax revenue, 7.85% goes to the Marijuana Cash Tax Fund. The 2.6% allocated to public safety comes from this fund.

Colorado also implemented marijuana-for-law-enforcement training aimed at clarifying the legal challenges for officers (Colorado Department of Criminal Justice, 2018). The differences in the amendments and potential lawsuits were covered; however, no mention was made of assessing the perceptions of the officers regarding the legalization of marijuana. No indication is made that anyone tried to ascertain the impact of legalization on policing and how legalization has changed the way police officers execute their daily duties.

Maier, Mannes, & Koppenhofer (2017) provided data on the implications of decriminalizing and legalizing for crime in the United States. The researchers used the 2014 Uniform Crime Report (UCR) data for all 50 states. The results suggested that the difference in the crime rate in states where marijuana is legal is not discernible from that in states where marijuana is not. While the researchers explored the effects of legalization and decriminalization, they also acknowledged that because legalization is relatively new, data on the relationship between legalization and crime is scarce. Additionally, in the cities of Denver and Seattle, where cannabis was legal, Maxwell & Mendelson (2016) found that marijuana use did not increase due to legalization.

Conclusions

The legalization of cannabis for recreational use is uncharted territory, and the complexity and dynamic nature of legalizing a controlled substance presented unique challenges for law enforcement in Colorado (Hickenlooper, 2014). There is limited literature regarding the attitudes and perceptions of law enforcement and the legalization of recreational marijuana and crime. Petrocelli et al. (2014) examined the attitudes and perceptions inherent in police officers' responses to drug-related crimes and suggested
that future research should be conducted to understand the attitudes and perceptions of police officers. Jorgensen (2018) noted that “for unknown reasons, the research investigating police officers’ attitudes toward drug use is underdeveloped” (Jorgensen, 2018, p. 2). Studies conducted by Anderson and Reese (2014) drew parallels between cannabis and alcohol, the potential impact of legalized recreational marijuana on crime and public safety (Colorado Department of Public Safety, 2016), driving under the influence, and the effect of marijuana abuse on young people (Anderson & Reese, 2014; Larkin, 2015).

Though there is limited literature discussing the attitudes and perceptions of police officers about the legalization of cannabis in Colorado, there is literature about the medical effects of marijuana use (Bibel, 2017; Bull, Brooks-Russell, Davis, Roppolo, & Corsi, 2017; Cerdá, Wall, Keyes, Galea, & Hasin, 2012; Hopfer, 2014; Mejta, 2016; Monte, Zane, & Heard, 2015; & Shi, 2017). Additionally, Ward et al. (2018) conducted research on the impact of marijuana legalization on law enforcement in states surrounding Colorado. They concluded that, based on the results of their surveys, law enforcement officers regard the legalization of cannabis as having a negative impact on their duties due to an increase in the potency of marijuana, a greater strain on resources, and increased juvenile use.

The biggest contradiction is the economic effect of legalization. In 2015, the legal marijuana industry in Colorado created more than 18,000 new full-time jobs and generated $2.4 billion in economic activity (Ingram, 2016). In 2017, combined marijuana sales in Colorado exceeded $1.5 billion (Wallace, 2018). Projections by the New Frontier Data suggest that over the next eight years, legalization nationwide could result in one
million jobs and $131.8 billion in federal tax revenue (Meza, 2018). In this qualitative research, this researcher explores the attitudes and perceptions of Colorado officers about the legalization of cannabis and crime. Cannabis is regarded as a Schedule I drug by the DEA, and there is uncertainty in the direction of the government regarding nationwide legalization. The researcher, by exploring the attitudes and perceptions of police officers regarding the legalization of marijuana and crime, adds value to the sparse research on this topic.
CHAPTER III: METHODOLOGY

Overview

Qualitative and quantitative research designs are the two primary categories. A third category is mixed-method design, which combines and analyzes data collected from both. This chapter describes the methods used to conduct this phenomenological research, the research design, a description of the population and sample, the survey instruments used in data collection, development and validation of the instruments, steps taken to ensure the confidentiality of the participants, how data was collected and analyzed, limitations of the study and a summary.

The goal of this study is to determine how police officers view the legalization of cannabis and if police officers believe that the legalization of recreational cannabis has affected the way they police. This chapter describes the rationale for the research design, population, sample size, instrumentation, data collection, and limitations of the research. The chapter concludes with a summary of the methodology.

Purpose Statement

The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police officers on the legalization of recreational cannabis and its impact on crime, and to determine how police officers perceive the legalization of cannabis has affected policing police tactics and responses to crimes.

Central Research Question

What are the lived experiences of Colorado police officers as they relate to the legalization of recreational cannabis and crime, policing, police tactics, and police responses to crimes?
**Research Questions**

1. What are the attitudes of Colorado police officers on the legalization of recreational cannabis?

2. What are the perceptions of Colorado police officers on how the legalization of recreational cannabis has impacted crime?

3. How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?

4. How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?

**Research Design**

The research questions were instrumental in the selection of the research methodology. The occurrence of a phenomenon is best discovered using a qualitative phenomenological methodology because a phenomenological study identifies the phenomenon (Creswell, 2003) and, in an unbiased, non-judgmental interview process, focuses on the subjective lived experiences of the subjects and their perspectives on the experiences with the phenomenon (McMillan & Schumacher, 2012). Additionally, by using a phenomenological design, understanding the lived experiences helps increase how cognizant we are about the phenomenon. Data were collected by conducting face-to-face interviews and observations of the participants, and the use of snowballing techniques allowed the participants to share information about the topic of the study with other individuals who wished to volunteer to be part of the study.

Ethnomethodology, which is “how people make sense of their everyday activities so as to behave in socially accepted ways” (Patton, 2015, p. 132), was considered as a
research method for this research, but this method can lead to forming an opinion, thus creating a bias, which will invalidate the research. Additionally, social constructionism/constructivism was considered as the best framework for this particular research. Patton points out that “a constructionist would seek to capture diverse understanding and multiple realities about people’s definition and experiences of the situation” (Patton, 2015, p. 122).

Heuristic inquiry was also considered; however, according to Patton (2015), a heuristic inquiry aims to understand the researcher’s experience of the phenomenon and that of the population sample, which would have created a judgmental, biased interpretation of the research questions and answers, invalidating the research. Finally, ethnographic research was also contemplated. Observing the officers in their natural environment, interpreting their “culture,” and analyzing how culture shapes their perception would not give an answer to their perception but would provide a comprehensive description (McMillan & Schumacher, 2010).

The purpose of this phenomenological study is “to understand an experience from the participants’ point of view” (Leedy & Ormrod, 2001, p. 157). After considering other research designs, a qualitative approach was determined to be most appropriate for this research. In qualitative research, multiple avenues such as interviews, semi-structured open-ended questions, and observations are used to collect data that will lead to understanding the lived experiences of people and how they interpret the phenomenon (Patton, 2015).

A phenomenological approach to this research is appropriate. Phenomenology focuses on the subjective lived experiences of the subjects and their perspectives on their
experiences with the phenomenon (McMillan & Schumacher, 2012). Data is collected and examined through in-depth interviews as well as “open-ended survey questions to discover the experience of each participant and capture the essence of the experience as perceived by the participants” (McMillan & Schumacher, 2010, p. 346). By using a phenomenological design, understanding the lived experiences helps increase our awareness of the phenomenon.

**Population**

The population of a study is “a group of elements or cases, whether individuals, objects, or events, that conform to specific criteria and to which we intend to generalize the results of the research” (McMillan & Schumacher, 2010, p. 129).

**Table 3**

*Total number of law enforcement employees by state and agencies in the 10 states where recreational cannabis is legal*

<table>
<thead>
<tr>
<th>State</th>
<th>Agencies</th>
<th>Total Personnel</th>
<th>Police</th>
<th>Sheriff</th>
<th>Total Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>50</td>
<td>2,107</td>
<td>793</td>
<td>0</td>
<td>793</td>
</tr>
<tr>
<td>California</td>
<td>509</td>
<td>126,538</td>
<td>39,692</td>
<td>27,707</td>
<td>67,399</td>
</tr>
<tr>
<td>Colorado</td>
<td>246</td>
<td>17,989</td>
<td>6,881</td>
<td>3,727</td>
<td>10,608</td>
</tr>
<tr>
<td>Maine</td>
<td>146</td>
<td>3,901</td>
<td>1,592</td>
<td>343</td>
<td>1,935</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>357</td>
<td>25,361</td>
<td>13,703</td>
<td>1,475</td>
<td>15,178</td>
</tr>
<tr>
<td>Michigan</td>
<td>571</td>
<td>26,395</td>
<td>11,408</td>
<td>4,909</td>
<td>16,317</td>
</tr>
<tr>
<td>Nevada</td>
<td>76</td>
<td>10,097</td>
<td>4,497</td>
<td>1,061</td>
<td>5,558</td>
</tr>
<tr>
<td>Oregon</td>
<td>174</td>
<td>9,431</td>
<td>3,640</td>
<td>2,306</td>
<td>5,946</td>
</tr>
<tr>
<td>Vermont</td>
<td>69</td>
<td>1,612</td>
<td>587</td>
<td>126</td>
<td>713</td>
</tr>
<tr>
<td>Washington</td>
<td>260</td>
<td>17,602</td>
<td>6,635</td>
<td>2,987</td>
<td>9,622</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>241,033</strong></td>
<td><strong>89,428</strong></td>
<td><strong>44,641</strong></td>
<td><strong>134,069</strong></td>
<td></td>
</tr>
</tbody>
</table>

*Note: Excludes agencies employing less than one full-time officer or the equivalent in part-time officers. Retrieved from https://www.bjs.gov/content/pub/pdf/csle08.pdf*
According to the U.S Department of Justice’s 2008 census of local and state agencies, of the 1,133,915 state and local law enforcement employees, 765,246 were sworn officers (Reaves, 2011).

Of the 765,246 sworn officers, 134,069 are from the states where cannabis is legal for recreational use (see Table 3). The population of this study includes police officers and sheriff officers from the states of Alaska, California, Colorado, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont, and Washington. The population of this study was all 134,069 sworn police and sheriff officers from the 10 states where recreational cannabis is legal.

**Sampling Frame**

A sampling frame for a study is the entire set of individuals chosen from the overall population for which the study data are to be used to make inferences. According to McMillan and Schumacher (2010), the sample frame defines the population to which the findings are meant to be generalized. The target population was identified as Colorado police and sheriff officers. According to the U.S Department of Justice’s 2008 census of local and state agencies, in Colorado, there were 246 agencies with 17,989 total personnel, of which 12,069 were sworn officers. Of that, 165 were police agencies with a total of 6,881 sworn officers. Also, of the 62 sheriff’s offices and agencies, 6,615 people were employees, and 3,727 were sworn sheriff officers (Reaves, 2011).

**Sample**

The sample, which is “the group of subjects or participants from whom the data are collected” (McMillan & Schumacher, 2010, p. 129), included Denver Police officers and Larimer County Sheriff officers; because it is not feasible, due to time or cost
constraints, to study large groups, the researcher chose population samples from within a larger group. The sample is delimited to officers with over five years of continuous service in the police or sheriff’s department in the state of Colorado. The study will be delimited to officers that have worked in crime detail, including burglary, home invasion, and theft.

The Denver police force consists of 1500 sworn officers (denvergov.org), while in Larimer County, Colorado, there are about 400 sworn officers of the sheriff’s department with an average of 11 years on the force (Larimer.org). Street officers respond to calls and reports of crimes in and around the areas where there are recreational cannabis dispensaries, among other locations. In the state of Colorado, in 2018, there were 509 retail dispensaries and 720 retail cultivators (Mitchell, 2018). Of the 509 retail dispensaries, 169 dispensaries were in the city of Denver, and in contrast, 10 were in the city of Fort Collins, Larimer County. Because of the size of the state of Colorado, the number of sworn officers, and the contrast in the number of recreational dispensaries, the sample was limited to the Denver Police and Larimer County Sheriff.

In qualitative research, the sample size and method of sampling should align with the research (McMillan & Schumacher, 2010). For this study, a nonprobability sampling procedure using convenience sampling, purposive random sampling method, and snowball sampling was implemented. “Convenience samples are widely used in both quantitative and qualitative studies because this may be the best the researcher can accomplish due to practical constraints, efficiency, and accessibility” (McMillan & Schumacher, 2010, p. 137).
According to McMillan and Schumacher (2010), “in purposeful sampling, the researcher selects particular elements from the population that will be representative or informative about the topic” (p. 138). The sample of this study was selected from the sampling frame of Denver and Larimer County Police and Sheriff officers. The sample includes officers including but not limited to sergeants, detectives, lieutenants and captains in the state of Colorado who have worked as patrol officers and have been previously stationed in the jail, assisting with the interviewing, booking and assigning residences to inmates in the jail system.

Police officers interact with the public daily; thus, they are uniquely positioned to offer their perceptions on the topic. The primary function of law enforcement is to serve and protect. Therefore, one of the goals of the Denver Police Department is to focus on crime prevention while being respectful to members of the community (denvergov.org). Sheriff officers are responsible for crime prevention and upholding the judgment imposed by the court on those that have committed a crime in the county (Larimer.org).

A phenomenological study is meant to transform the lived experience of its participants into a description allowing for reflection and analysis (McMillan & Schumacher). In “selecting information-rich cases for study in-depth” (Patton, 2002, p. 242), the sampling size of 16 from the population is ideal, and according to McMillan and Schumacher (2010), population size in a qualitative study can appear smaller in comparison to the larger population.

In snowball sampling, “each successive participant is named by a preceding individual” (McMillan & Schumacher, 2010, p. 327). These methods allowed the researcher to meet the goal of 16 participants from the population, and according to
McMillan and Schumacher (2010), “qualitative samples can range from 1 to 40 or more (p.328). Additionally, according to Patton (2015), applying a purposive random sampling method is “perceived to reduce bias in a study” (p.268). According to McMillan and Schumacher (2010), “the logic of the sample size is related to the purpose, the research problem, the major data collection strategy, and the availability of information-rich cases” (p.328), and according to Patton (2015), “there are no rules for sample size in qualitative inquiry. Sample depends on what you want to know” (p. 311).

For this study, to avoid redundancy and saturation, the sample size was appropriate (see Figure 4). Therefore, the sample for this study was determined to be 16 participants.

Participants were selected based on the following criteria:

- Currently employed by the Denver Police Department
- Currently employed by the Larimer County Sheriff’s Department
- Worked at the jailhouse in Denver or Larimer County
- A minimum of 5 years as a Colorado law enforcement officer

Figure 4: Population, sample frame, and sample
In selecting the sample for the study, the researcher contacted by mail the offices of Denver Chief of Police Paul M. Pazen (see Appendix H) and Larimer County Sheriff Justin Smith (see Appendix I), sending an invitation to participate in the survey and seeking assistance in identifying prospective participants. The researcher also contacted via email (Appendix J) Ret. Det. J C Tyus Jr., manager for the Denver Police Officers Foundation, for assistance in identifying 12 to 20 officers that meet the criteria and are willing to participate in this survey. Also, an email (see Appendix K) was sent to the HR department of the Larimer County Sheriff to ask for assistance in identifying officers that meet the criteria and are willing to participate in this survey. According to McMillan and Schumacher (2010), in convenience sampling, participants are selected based on availability and willingness to participate.

Additionally, the researcher contacted an acquaintance who is an officer with the Denver Police Department with eight years of service and asked about associates that might be interested in participating in this research. The researcher will apply the snowball strategy if there are not enough volunteers; thus, by applying a snowball strategy, the researcher can ensure the availability of participants that met the criteria.

Participants who were willing to participate were asked to contact the researcher via telephone or email to schedule a time and date. Interviews were tentatively scheduled for 60 minutes each during the week of March 9 – 13 in Denver, Colorado. However, at the time of these interviews, the world was dealing with the COVID-19 (coronavirus) pandemic. Denver, Colorado had reported six cases of coronavirus, and the recommendation from the Centers for Disease Control (CDC) was to limit social interaction. In compliance with the guidelines of the Centers for Disease Control (CDC)
to limit social interaction, the interviews were limited to 30 minutes per participant.

Prospective participants were informed that they would receive the informed consent form (see Appendix D), granted consent for audio recording (see Appendix E) using the Sony UX 560 Digital Voice Recorder (see Appendix F), and were presented with the BUIRB’s Research Participants Bill of Rights (see Appendix G) to sign before the interview process. The researcher selected 16 participants from the respondents who met the criteria—eight from the Denver Police Department and eight from Larimer County Sheriff.

**Instrumentation**

A phenomenological interview is an in-depth interview used to study the meaning or essence of a lived experience among selected participants (McMillan & Schumacher, 2010). Usually, in qualitative research, the researchers develop their instruments; thus, for this research, the researcher developed and used a semi-structured interview protocol as the instrument of study. Patten (2012) describes semi-structured as:

“Semi-structured” refers to the fact that the interviewer does not need to ask only the predetermined questions. First, if a participant does not seem to understand a question, it can be reworded by the interviewer. Second, if a response is too terse, the interviewer can ask additional questions, such as “Can you tell me more about it?” Third, the interviewer can probe with additional questions (in addition to the predetermined questions) in order to explore unexpected, unusual, or especially relevant material revealed by a participant. (p. 163)

To assist in developing the instrument and obtaining valid data, the researcher considered the Ten Interview Principles and Skills shared by Patton (2015), which include: “ask
open-ended questions, be clean, listen, probe as appropriate, observe, be more empathetic and neutral, make transitions, distinguish types of questions, be prepared for the unexpected and be present throughout” (p. 428). Additionally, the researcher consulted a panel of experts who validated the content of the instrument as it relates to the purpose and research questions of the study.

**Researcher’s Role as an Instrument of the Study**

The nature of this study called for the researcher to act as the primary data-collecting instrument. The role of the researcher as the main data-collecting instrument called for the researcher to accurately collect data, ensure that the anonymity and rights of participants were protected, and ensure the validity of the research methods and procedures. The researcher should also establish credibility, dependability, and transferability (Morse, 2015).

Due to the researcher being the instrument in a qualitative study, Pezalla, Pettigrew, and Miller-Day (2012) contended that the unique personality, characteristics, and interview techniques of the researcher might influence how the data is collected. As a result, the study may contain some biases based on how the researcher influenced the interviewee during the qualitative interview sessions; however, the researcher adhered to constant self-reflection and provided an honest account of the process, providing the reader with better comprehension and understanding of the research topic.

The researcher must define their role in the research and their ability to adhere to the quality of a qualitative process (Sanjari, Bahramnezhad, Fomani, Shoghi, & Cheraghi, 2014); thus the background of the researcher, qualifications, and biases should be disclosed and examined. At the time of this study, the researcher was employed by the
accounting firm of Ayeni and Associates as Director of Sales and Marketing. Ayeni and Associates have clients in the cannabis industry and as the Director of Sales and Marketing, the researcher is instrumental in the identifications and acquisition of clients for the cannabis business division of the firm.

To reduce bias, except where further clarification was required, the researcher used a nondirective, open-ended question format (see Appendix A), which allowed the participants the latitude to control the pace of the interview. The sample of the survey called for current Denver police officers with more than five years on the force in the state of Colorado and current Larimer County sheriff officers with more than five years in the force in Colorado; thus, the interview questions started with a section for participant demographics to ensure that the participant met the criteria.

According to Patton (2015), interviews as a means of data collection can “yield direct quotations from people about their experiences, opinions, feelings, and knowledge” (p. 14). After an extensive review of the literature, the researcher could not find adequate information that aligned the perceptions of Colorado law enforcement officers about the legalization of cannabis and crime; consequently, the researcher developed the interview questions to align with the research questions. Nine open-ended questions were developed and asked of the participants (see Appendix A).

**Field Testing of Interview Questions**

Prior to the actual interview, the researcher conducted a field test to check the validity and relevance of the data collection instrument. According to Roberts (2010), “when you create your own instrument or modify an existing one, it must be field tested” (p. 154). Participants who met the sample criteria but were excluded from the study were
contacted to assist with the field testing. The participants chose the interview location and time. Two officers with the Los Angeles Sheriff’s Department with 16 and 18 years of service, respectively, and a third officer from the Irvine Police Department with 15 years of service were presented with the interview questions (see Appendix A). All three participants and the observer provided detailed feedback on the interview process (see Appendix C).

**Validity and Reliability**

In qualitative research, the researcher is the instrument of data collection (Patton, 2015). Qualitative research involves discovery; therefore, steps must be taken to reduce researcher bias. “Validity, in qualitative research, refers to the degree of congruence between the explanations of the phenomena and the realities of the world” (McMillan & Schumacher, 2010, p. 330) and “reliability refers to exact replicability of the processes and the results” (Leung, 2015, p. 325).

**Validity**

In qualitative research, the researcher was the data-collection instrument that analyzed the data that, in turn, informed the study itself. According to Patton (2015), validity in “qualitative research in recent years has moved toward preferring terms such as trustworthiness and authenticity. Evaluators aim for balance, fairness, and neutrality” (p. 58). To ensure the accuracy of this study, Creswell (2013) recommended using multiple strategies. Researcher bias and field testing were two strategies used to increase this study’s validity.

**Researcher bias.** The researcher had no prior connection to the police or sheriff’s department. However, because of the role of the researcher as the primary data-collecting
agent (Patton, 2015), staying neutral is essential in increasing the validity of the research. Patton (2015) described empathic neutrality as the importance of a researcher to stay neutral while remaining understanding and authentic to build rapport and trust. The researcher’s background and personal potential for bias were disclosed to enable the reader to make personal decisions about the validity of the findings and increase the validity of the findings.

Field test. Field testing was appropriate for this kind of research as it ensured that the interview questions were designed and asked in a manner where the participants will not be subject to loss of anonymity. Two experts, holding doctorate degrees, with experience in qualitative research, were consulted to review the interview questions. They carefully scrutinized the questions for relevance and understandability. Furthermore, the researcher tested the interview questions (see Appendix A) with three officers, two with the Los Angeles Sheriff’s Department with 16 and 18 years of service, respectively, along with a third officer from the Irvine Police Department, with 15 years of service.

The officers all provided feedback on specific questions and interview style. The interviews were observed and constructive criticism as to style and content was given by a Director of Human Resources who holds a Doctorate in Human Resources and has been a director for over 20 years. The observer provided feedback by using the Field Test Participant Feedback Questions (see Appendix B), providing verbal feedback, and completing the Interview Feedback Reflection Questions Worksheet (see Appendix C).
Reliability

“In quantitative research, reliability refers to exact replicability of the processes and the results” (Leung, 2015, p. 325). Addressing the issue of bias and address reliability, the researcher recorded the interview using a Sony UX 560 digital voice recorder for its expandability and clarity rating (see Appendix F). Recording the interview ensures that the words and responses of the participants are accurately captured, thus eliminating any unintentional augmentation of the interview when transcription begins. Because reliability refers to the level of agreement between two or more independent researchers (Patton, 2015), to increase the reliability of the findings, test for consistency in the themes developed and establish inter-coder reliability, the researcher retained the services of an expert during the coding process.

Inter-coder reliability. Coding is a process where a code is assigned to a process for clarification purposes. According to Lombard, Snyder-Duch, & Bracken (2002), intercoder reliability is the degree to which independent coders arrive at the same conclusion after evaluating the same data. Upon identification of the codes by the researcher, an independent coder verified the codes by counting and arriving at the same frequency of code. According to Lombard et al. (2002), achieving 80% or higher agreement from 10% of the codes should be the benchmark.

Triangulation. According to Patton (2015), the purpose of triangulation is to “test for consistency” (p. 661) from different data sources. The researcher conducted 16 interviews, selecting participants from different law enforcement agencies, different cities, and different levels of law enforcement. By including different agencies and cities, the researcher tested for consistency, thus triangulating the data across groups. In
addition, artifacts such as communication between the officials and the police
department, memos, and rulings about the interpretation of the law were collected from
the different agencies and police officers and from police and government websites.
According to McMillan and Schumacher (2016), “Artifact collection is a noninteractive
strategy for obtaining qualitative data with little or no reciprocity between the researcher
and the participant” (p. 360). Creswell (2014) also contends that artifacts are written
documents that permit access to the participant’s language and words.

Data Collection

The researcher, facing the task of collecting data that will give an insight into the
thoughts and feelings of the participants (Sutton & Austin, 2015), collected data using
direct in-person interviews. According to Patton (2015), qualitative data allows the reader
to know “what it was like to have been there” in the time and place in which the
phenomenon occurred (p. 54). Semi-structured interviews were used in data collection
and conveying the story to the reader.

Participants will be current sworn officers of the Denver Police Department and
Larimer County Sheriff’s Department. Upon approval from Brandman University’s IRB,
the researcher sent an invitation to participate by mail to the offices of Denver Chief of
Police Paul M. Pazen (see Appendix H) and Larimer County Sheriff Justin Smith (see
Appendix I), and also asked for assistance in identifying prospective participants.

Additionally, the researcher contacted an acquaintance who is an officer with the
Denver Police Department with eight years of service and asked about associates that
may be interested in participating in this research. The researcher will apply the snowball
strategy if there are not enough volunteers; thus, by applying a snowball strategy, the researcher can ensure the availability of participants that met the criteria.

The researcher interviewed Larimer County Sheriff Justin Smith, North Colorado Drug Force Captain Joe Shellhammer, and officers with the Larimer County Sheriff’s Department. Applying the snowballing approach and recommendation from other officers, the researcher interviewed officers from the Denver Police Department who met the criteria.

The interview process started with the officers completing the demographic section of the interviews (see Appendix A). This information was instrumental in determining if the officer met the criteria. An in-depth, open-ended, non-structured, semi-informal interview process was used. Interviews as a means of data collection can “yield direct quotations from people about their experiences, opinions, feelings, and knowledge” (Patton, 2015, p. 14). Nine open-ended questions were developed and asked of the participants. See Appendix A for a list of questions designed by the researcher.

The interview process started with an introduction, followed by a complete disclosure of the topic and why the interview was being conducted. The researcher wrote down the introduction and explanation and read it verbatim to all participants to ensure consistency in the delivery of the information to all participants (see Appendix L). As part of the introduction and participation, participants were informed that the conversation would be recorded and transcribed verbatim, and they were required to sign the Informed Consent and Audio Recording Release Form (see Appendix D) and the Audio Release Form (see Appendix E). Their signature as consent to record allowed the researcher to record the interview. The researcher used a Sony UX 560 digital voice
recorder for its expandability and clarity rating (see Appendix F). The use of a recording
device ensured that the researcher was able to capture every word that the participant
uttered. The device also allowed the researcher to upload the recorded audio to his
personal computer via a program called Sound Organizer. The researcher then utilized
third-party software called Vocalmatic to transcribe the interviews from audio to a
Microsoft Word document. In addition, participants were given the BUIRB’s Research
Participants Bill of Rights (see Appendix G).

In accordance with the requirements of the BUIRB, no names or any defining
information were collected, and participants were informed that they were free to
terminate the interview and have the recording deleted from the device and the memory
card if so requested. Upon completion of the interview process, the researcher used
Nvivo software to transcribe and analyze the data. The research materials will be secured
in a locked safe and password-protected digital file to which the researcher will have sole
access. Upon completion of the study, all recordings, transcripts, and notes taken by the
researcher and transcriptionist from the interview will be destroyed

The researcher, not a member of the law enforcement community, not having any
family members that are in a position of authority in law enforcement that may retaliate
for information shared, posed no threat to the participating officers. Friends of the
researcher that are in law enforcement in the State of Colorado were exempt from
participating; however, some of them were instrumental in the snowballing process.
Participation was voluntary, and direct quotes were credited to participants by the use of
a pseudonym.
Data Analysis

Patton (2015) stated that in data analysis, “qualitative analysis transforms data into findings” (p. 521). During data collection, the researcher collects data via interviews, observations, and artifacts, and “the challenge of qualitative analysis lies in making sense of massive amounts of data” (Patton, 2015, p. 521). The researcher conducted 16 interviews using a digital device, a Sony UX 560, to record the interviews (see Appendix F for the image of the device). Also, detailed notes were taken during observation. According to Patton (2015), “organizing and analyzing a mountain of narrative can seem like an impossible task” (p. 524); therefore, introducing some structure to the process was attained by organizing the data by type, reading and reviewing the data, and coding the data.

1. Data transcription, which involves “taking these notes and other information and converting them into a format that will facilitate analysis” (McMillan & Schumacher, 2010, p. 370), was conducted by a third-party transcriptionist.

2. Transcripts of the transcribed interviews were reviewed by the researcher and the study participant to ensure accurate transcription of the documents.

3. The researcher further reviewed the interview transcripts for a better understanding of the key concepts and identification of potential themes.

4. Nvivo software was used to assist with the data coding and analysis process.

5. The researcher identified and developed themes and categories from an analysis of the data collected. Analysis began with identifying emerging themes and grouping the themes into categories based on the degree of frequency. The
analyzed data was coded, and according to (McMillan & Schumacher, 2010),
“data coding begins by identifying small pieces of data that stand alone” (p. 370).
“This descriptive phase of analysis builds a foundation for the interpretative
phase, when meanings are extracted from the data; comparisons are made, creative
frameworks for interpretation are constructed, conclusions are drawn, significance is
determined” (Patton, 2015, p. 554). Upon coding, the researcher identified themes, and
because this was a semi-structured interview process, it was appropriate to use
intercoder reliability. According to Patton (2015), “interrater reliability is valued, even
expected, as a means of establishing credibility of findings” (p. 665). Member checking
was also implemented during the interview process. According to (Murphy, MacCarthy,
McAllister, & Gilbert, 2014), member checking is a procedure that allows participants
the opportunity to review their responses and offer a better explanation to clarify their
intended statements.

**Limitations**

According to Roberts (2010), “limitations are usually areas over which you have
no control” (p.162). Roberts also stated that limitations could impact a researcher’s
ability to generalize; however, for this phenomenological study, the intent was not to
generalize the results but to understand the shared experiences of those sampled
(McMillan & Schumacher, 2010). The limitations of this study included the researcher as
an instrument of the study, the sample size, time, and location of participants.

In qualitative research, the researcher is the instrument of data collection (Patton,
2015). Due to the researcher being the instrument in a qualitative study, per Pezalla,
Pettigrew, and Miller-Day (2012), the study may contain some biases based on how the
researcher influenced the interviewee during the qualitative interview sessions. During the process of this research, the researcher was employed as the Director of Sales and Marketing for a family-run accounting firm with clients in the cannabis space. To mitigate the possibility of researcher bias, the researcher used the same semi-structured interview process for all 16 interviews, and an independent coder verified the codes by counting and arriving at the same frequency of code. According to Lombard et al. (2002), achieving 80% or higher agreement from 10% of the codes should be the benchmark of reliability.

One of the limitations of the study is that the sample of 16 officers is restricted to Colorado police and sheriff officers even though 10 other states have legalized the use of recreational cannabis. According to McMillan and Schumacher (2010), population size in a qualitative study can appear small in comparison to the larger population; moreover, the use of purposeful convenience sampling can limit the transferability results of the total population of sworn officers in Colorado and sample selection may affect the transferability of the study as a whole.

In a phenomenological study, generalizability is limited due to the purpose of the research, which is to describe the lived experiences of individuals at a specific place and time (McMillan & Schumacher, 2010; Patton, 2015; Yin, 2013). The phenomenological nature of this study limits generalizability in that no two people experience the same events identically. Police and sheriff officers have limited time to meet; thus, a one-hour session may be cut short by events that cannot be controlled or anticipated. Also, no interviews could be scheduled prior to approval from Brandman University BUIRB. Also, the researcher resides in the state of California and had limited time to conduct the
interviews in the state of Colorado. Thus, the distance limited the time allocated for the interviews to one week only.

**Summary**

Chapter III explained the methodology used to conduct the research for this phenomenological study. The chapter started with an overview, followed by a restatement of the purpose and research question of this phenomenological study, which was to discover the perceptions of police officers on the legalization of recreational cannabis and crime. The study aims to determine how police officers view legalization of cannabis and if the legalization of recreational cannabis has contributed to an increase in crime, decrease in crime, or no change in crime within the state of Colorado. Chapter III also included an explanation of the research design, population, sampling frame, and the sample used for this research. Also, instrumentation, data collection methods, data analysis, and limitations were included.
CHAPTER IV: RESEARCH, DATA COLLECTION, AND FINDINGS

Overview

The purpose of this qualitative study was to discover the attitudes and perceptions of police and sheriff officers as it relates to the legalization of recreational cannabis and crime. This chapter begins with the purpose statement, central research question, sub-research questions, and a review of the methodology and data collection and analysis procedures. A review of the population, sample, and demographic data of police officers follows. This chapter concludes with a presentation of the data, findings of each sub-question, and a summary of the results.

Purpose Statement

The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police officers on the legalization of recreational cannabis and crime, and to determine how police and sheriff officers perceive the legalization of cannabis has affected policing police tactics and responses to crimes.

Central Research Question

What are the lived experiences of Colorado officers as it relates to the legalization of recreational cannabis and crime, policing, police tactics, and responses to crime?

Research Questions

1. What are the attitudes of Colorado officers on the legalization of recreational cannabis?

2. What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?
3. How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?

4. How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?

**Research Methods and Data-Collection Procedures**

For this qualitative phenomenological research study, in-depth interviews with 16 police and sheriff officers were conducted to gain insight into their lived experiences related to the legalization of recreational cannabis and crime, policing, police tactics, and responses to crimes. The 16 interviews and observations were the primary form of data collection. The initial time scheduled for these interviews was 30 to 60 minutes; however, at the time of these interviews, the world was dealing with the *COVID-19* (coronavirus) pandemic. Denver had reported six cases of coronavirus, and the recommendation from the Centers for Disease Control (CDC) was to limit social interaction. Thus, in compliance with the guidelines of the Centers for Disease Control (CDC) to limit social interaction, the interviews were limited to 30 minutes per participant. Nine open-ended questions were developed and asked of the participants.

The researcher conducted 16 interviews using a Sony UX 560 digital voice recorder (see Appendix F) to record the interviews. This device was selected for its expandability and clarity rating to record the interview. The device allowed the researcher to upload the recorded audio to his personal computer via a program called Sound Organizer. The researcher then utilized third-party software called Vocalmatic to transcribe the interviews from audio to a Word document.
Upon approval from Brandman University’s IRB, the researcher sent an invitation to participate by email to the office of the Denver Chief of Police Paul M. Pazen and the Larimer County Sheriff Justin Smith, including asking for assistance in identifying prospective participants. Additionally, the researcher contacted an acquaintance who is an officer with the Denver Police Department with eight years of service and asked about associates that may be interested in participating in this research. The researcher applied the snowball strategy to identify the required number of participants. This strategy ensured the availability of participants that met the criteria.

The Larimer County Sheriff responded positively (see Appendix M), and the interviews were scheduled for March 11, 2020, at the Larimer County Sheriff’s office in Fort Collins, Colorado. The researcher interviewed Larimer County Sheriff Justin Smith, North Colorado Drug Force Captain Joe Shellhammer, and officers with the Larimer County Sheriff’s Department. Applying the snowballing approach and recommendations from other officers, the researcher interviewed additional officers from the Denver Police Department who met the criteria.

**Population**

The population of a study is “a group of elements or cases, whether individuals, objects, or events, that conform to specific criteria and to which we intend to generalize the results of the research” (McMillan & Schumacher, 2010, p. 129). The population for this study was sworn police and sheriff officers in the United States, in states where recreational cannabis was legal. The population of this study was all 134,069 sworn police and sheriff officers from the 10 states where recreational cannabis is legal, later
reduced to the state of Colorado, where there are 6,881 sworn police officers and 3,727 sworn sheriff officers (Reaves, 2011).

Studying a population of such magnitude is often impossible due to fiscal and time constraints; thus, the population was narrowed to identify a target population. The target population was limited to Denver police officers consisting of about 1500 sworn officers (denvergov.org) and Larimer County sheriff officers, which consisted of about 400 sworn officers of the sheriff’s department (Larimer.org).

Sample

The sample, which is “the group of subjects or participants from whom the data are collected” (McMillan & Schumacher, 2010, p. 129), included Denver police officers and Larimer County sheriff officers. The sample is delimited to officers with over five years of continuous service in the police or sheriff’s department in the state of Colorado. The sample for this study was selected from the sampling frame of Denver and Larimer County police and sheriff officers.

The sample included all officers including, but not limited to, sergeants, detectives, lieutenants, and captains in the state of Colorado who have worked as patrol officers and have been previously stationed in the jail assisting with the interviewing, booking and assigning residences to inmates in the jail system. A sample size of 16 from the population is ideal, and according to McMillan and Schumacher (2010), population size in a qualitative study can appear smaller in comparison to the larger population. Participants were selected based on the following criteria:

- Current employment with the Denver Police Department
- Current employment with the Larimer County Sheriff’s Department
- Previous employment at the jailhouse in Larimer County
- A minimum of 5 years of service as a Colorado law enforcement officer

**Demographic Data**

The qualitative phenomenological research study utilized in-depth face-to-face interviews with 8 police and 8 sheriff officers for a total of 16 officers from the target population who met the established criteria. The officers had between 6 and 29 years of service in the state of Colorado and between 2 and 20 years at their current position. Table 4 presents detailed data on participants' demographics at the time of the study and includes the department, years of service as an officer in Colorado, years at their current position, ethnicity, gender, and highest level of education.

**Table 4**

**Participant Demographics**

<table>
<thead>
<tr>
<th>Participant</th>
<th>Department</th>
<th>Years as an Officer</th>
<th>Years at current Position</th>
<th>Ethnicity</th>
<th>Gender</th>
<th>Highest Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sheriff</td>
<td>29</td>
<td>10</td>
<td>W</td>
<td>M</td>
<td>Masters</td>
</tr>
<tr>
<td>2</td>
<td>Sheriff</td>
<td>27</td>
<td>20</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>3</td>
<td>Sheriff</td>
<td>11</td>
<td>8</td>
<td>W</td>
<td>M</td>
<td>Some College</td>
</tr>
<tr>
<td>4</td>
<td>Sheriff</td>
<td>14</td>
<td>9</td>
<td>W</td>
<td>M</td>
<td>Some College</td>
</tr>
<tr>
<td>5</td>
<td>Sheriff</td>
<td>7</td>
<td>2</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>6</td>
<td>Sheriff</td>
<td>6</td>
<td>6</td>
<td>W</td>
<td>F</td>
<td>Bachelors</td>
</tr>
<tr>
<td>7</td>
<td>Sheriff</td>
<td>15</td>
<td>10</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>8</td>
<td>Sheriff</td>
<td>10</td>
<td>8</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>9</td>
<td>Police</td>
<td>12</td>
<td>8</td>
<td>B</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>10</td>
<td>Police</td>
<td>10</td>
<td>6</td>
<td>B</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>11</td>
<td>Police</td>
<td>22</td>
<td>17</td>
<td>B</td>
<td>M</td>
<td>Masters</td>
</tr>
<tr>
<td>12</td>
<td>Police</td>
<td>11</td>
<td>11</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>13</td>
<td>Police</td>
<td>8</td>
<td>3</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>14</td>
<td>Police</td>
<td>6</td>
<td>6</td>
<td>H</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>15</td>
<td>Police</td>
<td>13</td>
<td>7</td>
<td>H</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>16</td>
<td>Police</td>
<td>10</td>
<td>6</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
</tbody>
</table>
Table 5 presents a detailed breakdown of the participants’ demographic data.

Table 5

Demographic Breakdown

<table>
<thead>
<tr>
<th>Demographics</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denver PD</td>
<td>8</td>
<td>50.00</td>
</tr>
<tr>
<td>Larimer County Sheriff</td>
<td>8</td>
<td>50.00</td>
</tr>
<tr>
<td>Years of Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5-10</td>
<td>7</td>
<td>43.75</td>
</tr>
<tr>
<td>11-15</td>
<td>6</td>
<td>37.50</td>
</tr>
<tr>
<td>16-20</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>21-25</td>
<td>1</td>
<td>06.25</td>
</tr>
<tr>
<td>26-30</td>
<td>2</td>
<td>12.50</td>
</tr>
<tr>
<td>Years in Current Position</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0-5</td>
<td>2</td>
<td>12.50</td>
</tr>
<tr>
<td>6-10</td>
<td>11</td>
<td>68.75</td>
</tr>
<tr>
<td>11-15</td>
<td>1</td>
<td>06.25</td>
</tr>
<tr>
<td>16-20</td>
<td>2</td>
<td>12.5</td>
</tr>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>15</td>
<td>93.75</td>
</tr>
<tr>
<td>Female</td>
<td>1</td>
<td>06.25</td>
</tr>
<tr>
<td>Ethnicity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>12</td>
<td>75.00</td>
</tr>
<tr>
<td>African American</td>
<td>2</td>
<td>12.50</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>2</td>
<td>12.50</td>
</tr>
<tr>
<td>Asian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Native American/Pacific Islander</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other, specify</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>High School/GED</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Some college, no degree</td>
<td>2</td>
<td>12.50</td>
</tr>
<tr>
<td>Bachelor’s Degree</td>
<td>11</td>
<td>68.75</td>
</tr>
<tr>
<td>Graduate degree or more</td>
<td>3</td>
<td>18.75</td>
</tr>
</tbody>
</table>
Presentation and Analysis of Data

The findings in this chapter were collected primarily from interviews with participants who met the criteria. The data were triangulated to strengthen the validity of the findings. At the time of these interviews, the world was dealing with the COVID-19 (coronavirus) pandemic. Denver, Colorado, had six reported cases. In compliance with the guidelines of the Centers for Disease Control (CDC) to limit social interaction, the interviews were limited to 30 minutes per participant. The researcher conducted 16 interviews to collect data related to participants' lived experiences. The interview responses were reviewed several times to uncover themes and patterns. The interview responses were then coded using Nvivo software, and the codes were analyzed for commonalities and put into categories (themes) and patterns (see Figure 5).

**Interrater Reliability**

Coding is a process where code is assigned for clarification purposes. According to Lombard, Snyder-Duch, and Bracken (2002), intercoder reliability is the degree to which independent coders arrive at the same conclusion after evaluating the same data. Upon identification of the codes by the researcher, an independent coder verified the codes by counting and arriving at the same frequency of code. According to Lombard et al. (2002), achieving 80% or higher agreement from 10% of the codes should be the benchmark of intercoder reliability.

The independent coder achieved an agreement level of higher than 80% in the coding of the interview as compared to the coding results of the researcher identifying themes and patterns, leading to conclusions that mirrored those identified by the researcher. The research questions presented to the participants were designed to align with the four sub-questions. Themes that emerged as the strongest are discussed below.

**Research Question 1**

When discussing the attitudes, the researcher wants to understand how officers feel about the legalization of recreational cannabis. The first research question asked:  

*What are the attitudes of Colorado officers on the legalization of recreational cannabis?*

Table 6: Alignment of Sub Research Question 1 and Interview Questions  

*Alignment of Sub Research Question 1 and Interview Questions*

<table>
<thead>
<tr>
<th>Sub Research Questions</th>
<th>Interview Questions</th>
<th>Emerging Themes</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>What are the attitudes of Colorado officers on the legalization of recreational cannabis?</td>
<td>1. Tell me about your attitude about the legalization of recreational cannabis.</td>
<td>1. Oppose legalization</td>
<td>75%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Increased use of illicit drugs</td>
<td>56%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Tax revenue for the state</td>
<td>37%</td>
</tr>
</tbody>
</table>
The following three themes emerged as the most prominent relating to the attitudes of officers regarding the legalization of recreational cannabis.

➢ Officers oppose legalization

➢ Officers have an unfavorable opinion regarding legalization because they feel it can lead to increased access/use to illicit drugs.

➢ Officers feel that the only reason the state legalized cannabis is for the tax revenue it generates for the state.

**Theme 1: Officers oppose legalization.** The most salient theme that emerged from the participants' interviews of how they felt about legalization identified opposition to legalization. An overwhelming percentage of respondents, 75%, opposed legalization (see Table 7). The theme produced the most frequencies, was referenced 20 times across 12 sources, and represented 75% of coded content for the attitudes of officers regarding legalization. Every participant provided content specific to this theme. Several of the participants exhibited emotional responses to this question by repositioning themselves. A few participants put their hands on their weapons and looked at the researcher before answering the question.

Table 7

*Frequency of Oppose Legalization: Theme 1*

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oppose legalization</td>
<td>12</td>
<td>75%</td>
<td>14</td>
<td>6</td>
<td>20</td>
</tr>
</tbody>
</table>

*Note.* The *N* for participants for this question was 16. 8 sheriff and 8 police officers.

Participants were not reticent in sharing their opposition to legalization, citing several reasons. Participant 3 simply said, “I don’t support it. I mean, I think it leads to
people using more drugs.” Some participants shared how it affected their jobs and how it created more anxiety about the calls they have to respond to as they have encountered more individuals on other mind-altering drugs. Participant 4 said,

I don’t like it. It has made my job more difficult. It used to be fun, I mean not that booking someone in jail is fun but, that did not have, I mean you always worry when you book someone into jail, now I am dealing with people who are high. It used to be that you get a call for someone fighting because they are drunk, or they passed out outside from too much alcohol, and I have to put someone in jail to sleep off the alcohol. Now I get a call because they are high and homeless and not always on marijuana.

Participant 2 opposed marijuana legalization and also voiced that society overlooked the mental-health issues people face. He expressed it thus:

A lot of folks come from all over the country, who [were] on the fringe with some mental health issues are like, “I can go to Colorado; I don't have to take my meds anymore. I can self-medicate with marijuana”. So they get here; they do that for a while. It works for a little while, but then eventually, there are issues. The mental health issues get the best of them, or they fall into a different [part of] the drug world.

Participant 5 had this to say,

I used to think that it is a good idea, great for those that are dealing with cancer, but now, I am not so sure. I am still not sure how I feel about it.

Participant 6 said: “I understand that it may have some positives about it, but I am not for legalization at this time.”
Participant 12 shared,

I am currently pursuing a law degree, so for me, this is problematic. I see it as a violation of the law. The dichotomy here is that it is legal on the state level and illegal on the federal level; therefore, I am not currently for legalization.

Participant 14 had this to say: “When I started with the department six years ago, cannabis was already legal but not sold. Personally, I have a problem with it being legal, but I have a job to do”, Participant 15 concurred by saying, “I can’t say that I agree with legalization, but I have a job to do so I do it.” Participant 15 also referenced the increase in homelessness as symptomatic of legalization.

Look over there at the homeless camp, that was not a problem in the city before legalization. Is that because of legalization, officially I can't say, but my common sense says that these guys all moved here for dope, and now they are stuck.

Participant 16 said,

Our heroin and opioid problem have increased, and with that comes [an] increase in crime. People get hooked and need to get high. For me, the blowback from legalization outweighs the reward.

Participant 7 referred to legalization as “the most brainless thing that the city government ever did.” He went on to say that “as an officer of the law, I don’t see how I can defend an illegal law.”

Participant 1 had this to share:

People say I should be thrown out of [removed from] office because I oppose legalization. I will rather be known for my true opinions based on my experience than say I am going to tell society what they want to hear.
Through the shared stories and responses of the participants, it became apparent that the legalization of recreational cannabis in Colorado was not well received by the officers. When asked if they had ever expressed their feelings to the legislature, only 2 of the 15 participants replied, saying yes, they had. However, all participants agreed that regardless of how they felt, they were committed to doing their job.

**Theme 2: Officers have an unfavorable attitude regarding legalization because they feel it can lead to increased access/use of illicit drugs.** The theme was referenced 19 times by nine different participants and represented 56% of coded content relating to attitudes of officers regarding legalization (see Table 8).

Table 8

<table>
<thead>
<tr>
<th>Frequency of Increased Use of Illicit Drugs: Theme 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Theme</strong></td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>Increased use of illicit drugs</td>
</tr>
</tbody>
</table>

*Note.* The *N* for participants for this question was 16, or 8 sheriff and 8 police officers.

When asked to share their experiences, some respondents were emotional; some participants shared some personal stories of people they encountered over the years that now have a more severe drug problem.

Participant 1 said this about legalization:

> My concern is that it[legalization] would be followed by more crime or violence.

> More than the things that a police officer typically associates with illicit drug activity or mind-altering drugs. We have seen those things go up in this state very noticeably.
Participant 2 had this to share:

When the effect of marijuana stops working for the mental health issue, people [would then] say OK; marijuana is not working anymore, and [then] they are moving to that polydrug world. They start combining and abusing a dangerous cocktail of drugs [polydrug], and then really, you know, bad things happen. When people switch to polydrugs, bad things start happening.

Participant 4 had this to say,

Honestly, a lot are tweaking on meth, they stink, and get violent. I am not surprised when you see those videos of deputies laying someone out. Not that marijuana did that, but truly the harder drugs that they are on is making them lose their mind. These guys now use stronger [more potent] drugs.

Participant 6 became quiet and looked out the window before responding, saying:

This is personal to me because I have a high-school buddy that died from a drug overdose when I was younger. There has to be better checks and balances in place, and right now, it seems that those weed companies are doing whatever they want.

Some participants like Participant 7 shared,

Legalization has created an increase in the type of drugs available to the public. I think it leads to people using more drugs, and yes, drugs were always here, but now, there is more meth, coke, and heroin.

Participant 9 said, “I see more hard drugs [cocaine and heroin] being used”, and Participant 13 said that “people now have more dangerous drugs in their vehicles.”
Participant 12 said:

I can intelligently say that based on my observation and experience, there is a correlation between the legalization of marijuana and the increase in other illegal and illicit drugs.

Participant 11 said that “Marijuana is a drug. That is my attitude about it. I think it leads to people using more drugs.” Participant 8 shared his casual interaction with a couple of people and how a year later, he arrested one of them for assaulting the other. “When I searched him, there was a pipe in his pocket. He is using meth. That is what legal weed has done to Colorado.”

Participant 1 said:

I'll be honest, there was great trepidation to say this is going a different direction and going to be condoned by the government and so, on the one hand, a big unknown a concern because I truly believe in the value of people’s sobriety and how they're going to go on with life. I have been in the business for 29 years now with this agency. I just, I have seen enough of the destructive nature of what mind-altering drugs have done whether somebody's actually addicted or just alters who they are and how they act.

Participant 2 expressed his frustration as such:

So where is the end, right? We recently had an overdose situation where oxy laced with fentanyl was sold on our streets here, and two people died from an overdose. This is a serious problem, and people need to take it seriously. You're pretty much putting your life in their hands, and this is now a full-blown crisis.
While discussing the increased drug use, several of the participants shared how there is an increase in access to illicit drugs. They expressed how it seems like they are fighting a losing battle and how increased use of illicit drugs affects their ability to effectively perform their duties. A resounding refrain from the participants was how legalization and access to illicit drugs changed the landscape of the state.

**Theme 3: Officers feel the only reason the state legalized recreational cannabis is for the tax revenue it generates for the state.** The theme of money was referenced seven times by six different participants and represented 37% of coded content relating to attitudes of officers regarding legalization (see Table 9). Some participants believed that the reason the state legalized cannabis for recreational use is because of the tax benefit. They questioned how much tax the state collected and how they allocated the tax revenue.

Table 9

**Frequency of Tax Revenue for the State: Theme 3**

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Revenue for the State</td>
<td>6</td>
<td>37%</td>
<td>3</td>
<td>4</td>
<td>7</td>
</tr>
</tbody>
</table>

*Note.* The $N$ for participants for this question was 16. 8 sheriff and 8 police officers.

Participant 1 shared this:

The idea of government was going to step in and say [that because] we get tax dollars, we think we can we can make it [marijuana] an okay thing. For me, it was a concern about a slippery slope. When you change that message [that drugs are illegal] and say well this one over here [marijuana], we're going to ignore this one as long as we are getting tax this one is OK.
Participant 7 said, “The way I see it, they did this because of the amount of money that the state can make from it.”

Participant 3 also shared saying:

“It is all about money for the government. The tax dollars that the state has collected from this, yet we as officers don’t see the benefit. Where did all that money go?”

Participant 12 said it is all about tax revenues. “It is a ploy for the government to make money. I have spoken to several dispensary owners, and they are not making as much as people believe they are.”

Observing participants while they were discussing the topic of tax revenues, some of them were visibly angry by the amount of money generated in taxes and how it had not been used to enhance their departments. Officers expressed being frustrated by the belief that the state legalized marijuana strictly for the tax revenue and not something that will directly enhance and benefit the residents of Colorado. One participant said: “Why did they even legalize it anyway? The almighty dollar.” When I asked if they had inquired about the tax revenue and a budget increase for the department, no participant responded; however, Participant 10, a 10-year veteran, summed it up thus:

“Mennn, [sic] I see it all. The dope man in a suit and tie saying that he is here to run a legal weed business. That is the biggest scam I have ever seen, but it is here. Legalization of recreational weed in Colorado is a money-making scheme for a few corporate people and for the state. Personally, I am not a fan, but I do my job.”
Research Question 2

When discussing the perception of officers, the researcher wanted to understand what officers think about the legalization of recreational cannabis and crime. The second research question asked: *What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?* This research question aligned with interview questions 2 and 7 (see Table 10).

Table 10
Alignment of Sub Research Question 2 and Interview Questions

<table>
<thead>
<tr>
<th>Sub Research Questions</th>
<th>Interview Questions</th>
<th>Emerging Themes</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?</td>
<td>2. Tell me about your perception about the impact of the legalization of recreational cannabis. 7. What changes have you experienced in the nature of crimes committed since the legalization of recreational cannabis?</td>
<td>1. More Violent Crime 2. Politics of Amendment 3. Increase in Burglary 4. Organized Crime</td>
<td>53 40 40 40</td>
</tr>
</tbody>
</table>

The following four themes emerged as the most prominent relating to the perceptions of officers the legalization of recreational cannabis and the impact on crime.

- Officers’ viewpoint is that legalization has led to more violent crimes.
- Officers perceive that the goal of Amendment 64 was to change perceptions about recreational marijuana.
- Officers have an impression that legalization will lead to an increase in burglary.
➢ Officers are cognizant of the possibility of an increase in organized crime activities.

**Theme 1: Officers perceive that legalization of recreational cannabis has led to more violent crimes.** Participant 15 had to leave; thus, 15 of the 16 participants answered this question. Of the 15 participants, eight of them referenced this theme nine times, representing 53% of the coded content for more violent crime (see Table 11).

### Table 11

*Frequency of More Violent Crime: Theme 1*

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>More Violent Crime</td>
<td>8</td>
<td>53%</td>
<td>5</td>
<td>4</td>
<td>9</td>
</tr>
</tbody>
</table>

Note. The N for participants for this question was 15, or 8 sheriff and 7 police officers.

Participants, because of the number of years of experience, discussed the changes they have observed regarding the nature of changes in crime committed since the legalization of recreational cannabis.

Participant 1 shared this:

> I understand I am not in an academic research role, so I [cannot] talk cause and effect. [However], I can definitively say from the data that is out there that since we made the switch in 2012, which technically took effect in 2014, [we have] seen those violent crime rates in the state, not a cause and effect, but certainly, the promise was that we would be a safer society with less issues has not happened.

Other participants shared similar perceptions and concerns. Participant 5 shared, “When we book people into jail, a large majority of them are here for some sort of drug-related crime. Is this because of recreational marijuana, can’t say, but it sure feels like
Participant 6 agreed with that sentiment by observing that they experience “More violent offenders.”

Participant 11 also agreed and had this to share.

I see more violent, drug-related crimes. I remember a homeless guy in the 16th Street mall area running after people with a large pipe, just whacking them. The Mayor called it an “urban traveler.” Truth be told, it was just a homeless person who was high, and on that day, he totally lost it.

The reference made to a violent crime committed by a homeless person who was behaving erratically and believed to be on some mind-altering drug reinforced the point of view of most of the participants. Some participants also talked about how some offenders are now prone to committing their acts with a weapon. “They will shoot first and ask questions later if you are not careful,” said Participant 16. Participant 12 also shared that he arrested a career criminal who, for the first time, was armed with a firearm while committing the crime of burglary.

Participant 14 shared this:

I almost always assume that an offender is armed, especially when I get a call for burglary. As I said, the dispensaries have serious security, but these guys break in after hours. If you think there is $100,000 in cannabis and cash in an establishment, will you be armed?

Most participants who referenced this theme mentioned that the changes might be related to legalization. Officers related that what has evolved since legalization is the level of violence that is associated with the crime. While there is no definitive way of concluding if there is a correlation, their experience supports the feeling.
Theme 2: Officers perceive that the goal of Amendment 64 was to change perceptions about recreational marijuana. Discussing politics is never easy; however, it was more challenging to discuss this theme with most of the participants. They viewed implementing Amendment 64 as a political strategy, an amendment designed to override how people view legalization by changing their perception of marijuana. Participants referred to it as a failed experiment and remarked that it has not delivered on the promise of marijuana being regulated like alcohol. Six participants responded 11 times, representing 40% of the coded content (see Table 12).

Table 12

*Frequency of Politics of Amendment 64: Theme 2*

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Politics of Amendment 64</td>
<td>6</td>
<td>40%</td>
<td>5</td>
<td>6</td>
<td>11</td>
</tr>
</tbody>
</table>

Note. The N for participants for this question was 15, or 8 sheriff and 7 police officers

There were some references made to legality and jurisdiction, such as Participant 9, who said, “I find myself more careful these days, and I also ignore more. If they have a small bag of weed, a little over the legal limit, I let them go. Some battles are just not worth it.” Other participants such as Participant 1 said this:

I have a lot of concerns in the legal aspect of the way [I am] a little bit technical and geeky here, but the way our country is created. You know, with the US Constitution being superior to everything else. With the supremacy clause, [I] say wait a minute. What we're doing is taking a substance that is still federally illegal and no doubt about it, and we're going to stay [silent] while we're going to violate that federal law because we just don't think that one's good.
He went on to say:

They [cannabis industry] were tremendous at their marketing strategy because they came up with a campaign; treat marijuana like alcohol. Most people can buy into that, and they reach back a hundred years and talk about Prohibition, and wow, Prohibition didn't work with alcohol. It doesn't work with marijuana, and they say here's a better system. The interesting part is they haven't gone back in and taken some time to understand Prohibition a little better. As I've understood it, going into Prohibition, alcohol was just anywhere and everywhere. There really weren't alcohol stores, so alcohol could be sold anywhere to anybody, so it seemed like people consumed hard liquor all the time. However, the difference was that Amendment 64 did not regulate the THC content while alcohol regulated the industry, creating the 3.2% beer market.

Participant 2 had this to share,

Humm, the biggest … you did go back to the beginning, and this whole thing started with medical marijuana. You know, it’s all about helping the cancer patients, it’s all about this where if you really took a look at it, the whole goal was legalization, you know, this whole other thing was just to get the door open a little bit, get in there, get the money flowing where you can start, you know, contributing to political parties and people that might see your way, getting in the newspapers for, you know, advertisement. If you view the Coloradoan and especially online version, like every other advertisement up there is for a dispensary or something to that effect. And so, the door got opened, money started flowing and now, you know, they took that money move to legalization.
Participant 8 shared this,

I don’t think that the legislature carefully considered the full effect of legalization. To now say that the punishment for possessing small amounts of other narcotics is a ticket is beyond me. What are they thinking? Sorry, this is a game-changer.

Participant 12 put it this way: “I think that recreational cannabis use is overrated.”

Participant 13 observed, “These guys are smart, and they use the law to cover up their illegal activity.”

Most of the participants articulated that the way the law is, it seems that it protects the criminals more than it protects the officers. “I think it is a bad idea. I signed up to serve and protect, and I will do my job, but legalization only brings more trouble with it.” (Participant 14). As officers of the law, they have to serve and protect, and ultimately that is what they will do.

**Theme 3: Officers have the impression that legalization of recreational cannabis will lead to an increase in burglary.** Participant 15 had to leave; thus, 15 of the 16 participants answered this question. The theme was referenced eight times by six of the 15 participants, representing 40% of the coded content (see Table 13) for the relevant question.

Table 13

<table>
<thead>
<tr>
<th>Frequency of Increase in Burglary: Theme 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theme</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td>Increase in burglary</td>
</tr>
</tbody>
</table>

Note. The N for participants for this question was 15, or 8 sheriff and 7 police officers.

Some participants expressed that though there is an increase in more violent crimes, burglary specifically was also on the rise. Participants explained that while the crime of
burglary can be considered a felony and the crime of petty theft a misdemeanor, they see an uptick in the commission of the crime of burglary.

Participant 3, an 11-year veteran, shared this:

There is an increase in burglary and petty crime. I get more calls from people who lost something from their car, their house; however, I can’t prove it has to do with marijuana, but it sure looks like it.

When I asked Participant 9, a 12-year veteran, what changes in crime he had experienced, he looked around the room and walked me outside to point to a sign, sharing this:

There is more drug trafficking and more illegal sale of narcotics and an increase in break-ins that occur to businesses. See that sign that says not to leave things in your car so as you will not create a crime of opportunity? What is a crime of opportunity? What does that even mean?

Participant 12, an 11-year veteran, shared a similar experience that described how he perceived the changes and why he believed those changes occurred. He said:

I arrested this guy for burglarizing a dispensary, and I asked him why. He said that the money he can make from the sale of marijuana on the streets is far more than what he can make from selling clothes stolen from retail stores.

Participant 4, a 14-year veteran, had this to say:

Like I said, now I get guys who are high and stupid more than I get guys who are drunk and stupid. I see more kids getting into trouble and experimenting with weed. There are also more homeless people and burglary has gone up.
Participant 14 also spoke on the increase in employee theft. He said,

Employee theft has gone up. I have arrested more employees for stealing from their job than ever. Some of these employees plan the robberies, letting their friends know when there is a lot of cash on hand.

Finally, Participant 6, who has been on the force for six years, said that she has experienced an increase in petty crimes, “and when you ask them why they did it, they will say they need their fix.”

All participants that cited burglary specifically had been on the force for more than 10 years. Though they did not explicitly say that legalization is the cause, they alluded to legalization as the cause for an increase in burglary. Participants expressed their frustration with the changes that the city was experiencing.

**Theme 4: Offices are cognizant of the possibility of an increase in organized crime activities, including illegal transportation of narcotics.** Discussion about organized crime elicited one of the most passionate responses. There was an overarching deduction that one of the consequences of legalization is an increase in organized crime activities, including an increase in the trafficking of illegal substances. Six of the 15 participants responded for a total of 11 times, representing 40% of the coded content (see Table 14).

Table 14

*Frequency of Increase in Organized Crime Activities: Theme 4*

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase in organized crime activities</td>
<td>6</td>
<td>40%</td>
<td>8</td>
<td>3</td>
<td>11</td>
</tr>
</tbody>
</table>

Note. The N for participants for this question was 15, or 8 sheriff and 7 police officers.
Some of the arrests related to organized crime in Colorado and were conducted by the North Colorado Drug Task Force. One such arrest involved 10 individuals. At the time of arrest, they had in their possession the following:

Methamphetamine: 37.85 pounds (some believed to be laced with fentanyl for addictive qualities)

Heroin: 108 grams

Marijuana: 5 pounds

Prescription drugs (oxycodone and fentanyl): 213 pills

Mushrooms: 11 grams

Cocaine: 6 grams

Rifles / shotguns: 6

Handguns: 6

U.S. Currency: $13,000 (Larimer.org)

Another arrest included three people in connection with a $1 million illegal marijuana business.

Participant 2 expressed that the message presented was that with legalization, the black market would disappear; however, that was not the case. He shared,

The black market here is two to three times larger than it's ever been before. Why would you pay 30% more in that shop when you can go to Johnny's house and pay 30% less? It's just the fair market, right? You know, I'm not going to spend $30 more in this regulated cuz all these taxes that are attached to this. I'm going to go over here where I get it for 30% less.
He continued talking about the drug cartels and transportation of illegal substances.

Organized crime like cartels, well [like] the Sinaloa and Hector Beltran Leyva cartel, set up huge transportation networks bringing marijuana and other hard drugs from Mexico to the heart of [the] United States. Well, those guys kinda got put out of business, their business here in Colorado, so they just took the same transportation guys, same logistics guys, move them to Colorado, got involved in these grows. You have Route 80 right there. They can make so much [more] money out east and these other places. Now they just save themselves the headache of getting across the border, and they get through [Highway] 80, and they [make] eight times the profit. It is a great business model. You make a ton of money, and the risk here, which is the hardest part, is growing it, and setup is so low. All they gotta do is get in their truck, or get in their car and hide it, or FedEx 10 pounds to wherever and the profit margins are huge.

Participant 1 affirmed those thoughts regarding organized crime. He shared,

I would say the ability to do that [control interstate commerce] between states is just not there because we're not set up like countries that have border crossings, and the other one is the law of economics that we can't seem to get past and Joe kind of alluded to it. I have read Adams Smith’s *Wealth of Nations* and the whole concept of just how economics works, we can't get past that when something we grow here [that] is supposed to stay in-state gets 30% more by the time it gets to this state, 50% more by this state, and twice as much when it hits this state, our ability to regulate that here is extremely difficult because of the financial motive, and that's not going to change unless it's [marijuana] decriminalized everywhere.
And so that's one of the failed pieces of legalization that you can decriminalize in one state and regulated, and that actually hasn’t happened.

Participant 1 continued his discussion, talking about the black-market trade in narcotics.

Secondly, all the black market that exists. They [MED] don't handle [them] because their take is [that] the establishment MED only has the authority over those [establishments] that have a state license. They have no authority over the guy in rural Burke County or in some house in the middle of Fort Collins who is growing [and] shipping out of state. The thing is that they are local and we're dealing with that part of it and so with all of that, there’s going to be an issue on the state-by-state stuff with, you know, [where] it's not allowed. It's not allowed in Wyoming, but it's allowed in Colorado. Unlike our borders with Canada and Mexico where we have established border crossing, and you check for things, here there are no borders, just a sign saying welcome, or goodbye and interstate commerce stops our ability to intercept marijuana.

When discussing organized crime, the sentiment that the law enacted by the legislature has led to an increase in drugs and organized crime was also expressed by Participant 8, who said:

I am disappointed that the state decided to legalize recreational cannabis without thinking about the possibility of organized crime. I mean, there are so much more drugs flowing since cannabis was legalized. Oh well, it is what it is.

Participant 4 also shared the following:

In the 14 years I have worked as an officer, I have never seen such an increase in the flow of drugs like I have seen in the past five years. Is this because cannabis is
legal, well, if it did not happen before it became legal and it is happening now, well.

Other participants such as Participant 16 conveyed that there were more illegal grow facilities and Participant 10 shared that

Legalization has increased illegal drug trafficking. There are more dope men on the streets than in the legal houses, and there are hundreds of legal and illegal dispensaries here.

Participant 16 said:

With legalization, we have an increase in drug trafficking. Here is the I25 corridor; if they leave here on to the 80, 70, [freeways in Colorado], they are in Wyoming, Kansas, make it to South Dakota. Drug flow from Colorado has become a problem that we have to handle, and the more you stop them, the more they ship out. Not only do we have more drugs going out of here, but we [also] have harder, more dangerous drugs such as fentanyl and cocaine shipped with the dope that is being transported.

Participant 16 concluded by saying this:

I am not sure if you heard about this, but we had a major drug bust not too long ago. I was part of the sting, and there were guns, meth coke, and marijuana. The drug problem here has increased since legalization because the cartel is here. Can I say it is because of legalization—yes, I can because it’s the only thing that makes sense.

The researcher, while asking this question, observed that Participant 2 sat on the edge of his seat. Not only did he exhibit displeasure with the increase in drug cartel
activity, but he also expressed that as much resources as the county invested in the department, the trafficking of illegal narcotics by the cartel keep growing.

**Research Question 3**

The researcher is interested in understanding how legalization has impacted the way the officers conduct their daily duties. The third research question asked: *How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?* This research question aligned with interview questions 3, 4, 8 and 9 (see Table 15).

**Table 15**

**Alignment of Sub Research Question 3 and Interview Questions**

<table>
<thead>
<tr>
<th>Sub Research Questions</th>
<th>Interview Questions</th>
<th>Emerging Themes</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?</td>
<td>3. Tell me about your experience working as a police officer since the legalization of cannabis.</td>
<td>1. Decriminalization</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>4. Over the last five years, how has the legalization of cannabis affected your daily job duties?</td>
<td>2. Increase in crime</td>
<td>63</td>
</tr>
<tr>
<td></td>
<td>8. How has the legalization of recreational cannabis impacted how you currently carry out your duties?</td>
<td>3. Increase in homelessness</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>9. What aspects of your daily job duties have been impacted by the legalization of recreational cannabis?</td>
<td>4. Lack of effective legislation</td>
<td>15</td>
</tr>
</tbody>
</table>
Four themes emerged as the most prominent relating to the impact legalizing recreational cannabis has on current policing efforts in Colorado; however, one of the themes, increase in homelessness, was referenced in two separate questions, giving it a combined nine sources and 11 references.

- Decriminalization of non-medical use, possession, and purchase of marijuana.
- Increase in crime negatively impacting policing efforts.
- Increase in homelessness and transient population.
- Lack of effective regulation.

**Theme 1: Decriminalization of non-medical use, possession, and purchase of narcotics.** This theme was referenced by 6 of 15 respondents and represented 40% of the coded content as an essential factor in how legalization impacted how they currently carry out their duties (see Table 16). Participants shared that there is a new law going into effect that will decriminalize the possession and use of other controlled substances. They are frustrated by the notion that the legislature does not consider how this change affects the law enforcement community, expressing that this move by the legislature will make their daily job duties more difficult.

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents Based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decriminalization</td>
<td>6</td>
<td>40%</td>
<td>6</td>
<td>1</td>
<td>7</td>
</tr>
</tbody>
</table>

*Note. The N for participants for this question was 15 or 8 sheriff and 7 police officers*

Statements included “honestly, I tell you I wish they did not legalize it” and “higher THC higher since decriminalization of you know, [cannabis]. They are trying to make meth
and fentanyl not a felony anymore for possession.” Though nine respondents specifically mentioned decriminalization, every participant provided content specific to this theme.

Participant 8 had this to share:

I don’t think that the legislature carefully considered the full effect of legalization.
To now say that the punishment for possessing small amounts of other narcotics is a ticket is beyond me. What are they thinking? Sorry, this is a game-changer.

That sentiment was echoed by Participant 2, who said this:

Now it’s, you know, higher THC since decriminalization of you know, [cannabis]. They are trying to make meth and fentanyl, not a felony anymore for possession. So, if you have up to 4 grams of heroin in Colorado right now, you get a ticket, and you can get caught three times, and you get a ticket. So, the same for heroin, fentanyl, cocaine, methamphetamine. Mushroom yeah, yeah. Yeah. Yeah. Yeah, so 40 doses of heroin is considered now personal use from some “brilliant” folks down in Denver, and you get a ticket. So where is the end, right?

Participant 10, a 10-year veteran, had a unique point of view when I asked him how legalization had impacted his work. Here is what he shared.

It certainly has made it interesting. I mean, I am Black, so sometimes people think I am the dope man. This time that works for me, but I tell you it is sometimes difficult to do my job, but I don’t want to get into that.

Though some of the participants spoke specifically about decriminalization, several discussed Amendment 64, illegal transportation of narcotics, and an increase in organized crime when talking about decriminalization as an effect of legalization.
**Theme 2: Increase in crime negatively impacting policing efforts.** When asked about their experience working as an officer since the legalization of cannabis, this theme was referenced 13 times over 10 sources and represented 63% of the coded content (see Table 17).

Table 17

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase in Crime</td>
<td>10</td>
<td>63%</td>
<td>5</td>
<td>8</td>
<td>13</td>
</tr>
</tbody>
</table>

*Note.* The *N* for participants for this question was 16, or 8 sheriff and 8 police officers.

Most participants did not give specific examples except to say that they have observed that there has been an increase in the crime rate.

Participant 11 said, “I have seen an increase in drug-related homicides in certain areas of town since legalization.”

However, some participants like Participant 1 shared this:

And that's when the jail population was around 438-ish to the jail population took off from one-eighth to one-third. Our jail population actually was 600 a couple of years ago, but it came back down a bit last year, it’s sort of easing back up. The steady part is after years of just being one-eighth, we can tend to be one-third, and I see a nexus there that concerns me, and I don't like what I'm seeing.

And this was shared by Participant 5:

As an investigator, it has become more difficult with the transient population. When these guys get out of jail, the next time you see them is when they are going back to jail. The idea that Colorado is the place to make a million dollars in the weed industry has also created a lot of illegal growers, and with illegal activity
comes [an] increase in crime. I see more of an increase in crime and the homeless population here in the County.

Other participants share how their duties have become more difficult since legalization and how some people believe that because it is legal to purchase, it is legal to smoke anywhere. One participant referred to it sarcastically as the “wonderful world of legal/illegal narcotics.”

Participant 12 also shared this:

Almost every dispensary has an armed guard at the entrance and a few at the cash register. There are also those illegal dispensaries that spring up. As an officer of the law, who believes in the law, it makes it more difficult to do my job.

However, Participant 15 discussed how important it was for him to convey to some of the business owners in the community where he works that the department was doing all it could to protect them. Here is what he shared:

As a patrol officer who also does community patrol, I speak to business owners who are worried about the increase in crime in their area. Last year was really bad for most of them, and I don’t know why.

Though the officers all held different positions in the force, they agreed that there was a sense of desperation in the communities. They conveyed the feeling that the community did not feel safe with their current efforts. Participant 15 expressed the lack of trust from the community and the sense that the officers were not doing enough.

**Theme 3: Increase in homelessness and transient population.** The theme was referenced in two separate questions, giving it a combined nine sources and 11 references, representing a total 60% of coded content for this question (See Table 18).
Table 18

*Frequency of Increase in Homelessness and Transient Population: Theme 3*

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase in homelessness</td>
<td>9</td>
<td>60%</td>
<td>7</td>
<td>4</td>
<td>11</td>
</tr>
</tbody>
</table>

*Note.* The *N* for participants for this question was 15, or 8 sheriff and 7 police officers.

Several of the participants agreed that homelessness was a symptom of legalization and willingly shared information about the growth of the homeless population since the legalization of cannabis.

Participant 1 shared this:

> My homeless population has gone up and impacted my jail. For 10 years from 2005 to 2014, because of some work [of some] amazing people, even though this County was growing in population, our jail population by single to low double-digits was creeping down year after year because of a lot of system things. I'm starting in 2014; it went up, and so we went back and retroactively went, okay. Why is it going up in these numbers? To start in 2014, it was almost 50 [more inmates] a year on average for about three years ago. Boom, 2014 numbers went up, and we look back, and anecdotally we said, wow, there seem to be a lot more homeless people in the jail. And so, we actually built mining from the jail records anyone who said I self-identify, I'm homeless, I'm transient or the address they give registers to a shelter somewhere.

Participant 2 states,

> Our homeless population before legalization, [the] average age was like 56/57, and now through these years, we are down to like 26/27 because our homeless
population is mostly younger males who [came] to Colorado to smoke weed, get 
in the industry. When they get here, they have felonies, or they just can't get a job, 
or there isn’t millions of dollars to be made in the regulated industry.

Other participants expressed how people relocated to Colorado for dope and found themselves homeless. When asked if and how the legalization of cannabis affected your daily job duties, Participant 9 said, “I see more people who identify as homeless, and while working my beat, I see more hard drugs [cocaine and heroin] been used.” A reference to an increase in the homeless population and increased drug use. He also shared this; “Do you arrest a homeless guy for smoking out in the park when that is his house? He sleeps in his tent in a public area. That is what we see more of.”

Participant 11 had a unique take on the issue of legalization. As a homicide detective, his investigation starts after a murder has been committed. He shared this:

I work homicide, and in my experience, people commit homicide for two main reasons, drugs and jealousy. I have seen an increase in drug-related homicides in certain areas of town since legalization. I have also seen the transient population slowly creeping up.

When I asked him if that was because of legalization, he smiled and later said this:

There is an increase in the number of homicides in the area I work, and I see a steady increase over the last five years. I can’t say it is because of legalization but increased gang activity, turf war for drug sale; you do the math.
Other participants echoed Participant 8, who said this:

I have been trying to understand why these guys are here. I approach my job from a different angle. I ask guys I see on the streets who are transient why they are in this position.

Most of the participants did express that although there is a rise in the transient population, they also do not assign blame solely to the people who are transient. The marketing efforts presented to potential investors and entrepreneurs was that the cannabis industry is a multi-million-dollar industry. However, the reality, like Participant 14, said is that: “There are too many transients and homeless people. All for what, dope? I don’t know, man.”

**Theme 4: Lack of effective regulation.** The theme was referenced five times across two sources and represented 15% of available coded content for this question (See Table 19).

Table 19

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of effective regulation</td>
<td>2</td>
<td>15%</td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
</tbody>
</table>

*Note.* The *N* for participants for this question was 15, or 8 sheriff and 7 police officers.

The Sheriff of Larimer County did express his displeasure about the formation of the MED (Marijuana Enforcement Division), a department created to regulate legal, registered marijuana establishments. The Larimer County Sheriff’s office is located in the city of Fort Collins, Colorado, which is 46 miles from the border with the state of Wyoming. Participant 1 said that having to expend resources to combat the growing
epidemic in his county while controlling the illegal transportation of narcotics has dramatically impacted his daily duties. Here is what Participant 1 shared:

The interesting thing is when they built it, they built it under a promise of as a criminal industry; it's not going to be regulated, so all bad things are going on. The regulated will be all clean, and so they said they were going to create an enforcement authority, which is when MED (Marijuana Enforcement Division) was created and the challenge that we've got with MED is that they [come] to tell us we are criminal law enforcement officers, we can file criminal charges. We regulate the industry. They would tell people things like, well, we've got this from seed to sale, from when the seed pit hits the ground till the last every bud comes off, we can track it. Well, I grew up in Kansas in agriculture country in the FFA (Future Farmers of America). I understand the basics of agriculture, and there's no, I don’t care what the crop is, if it's marijuana or if the crop is wheat, corn, sorghum, silo, you name it? What you plant in the ground does not tell you what your yield is? So, when they were claiming they could track every bit that was in the industry, we knew that to be absolutely false. They later admitted that even if we track a plant, it doesn’t mean that much and as Joe has talked about, they don't plant seeds anymore. It is his cloning.

Participant 2 discussed the challenges with the potency of marijuana, the other drugs in the county, and the challenge with defined roles.

There is so much confusion [with the law]. Are the feds going to step in and take this case? It’s different from state law, all that confusion, so the hardest part of their business is handled. Where is the thought process here saying, we good, you
know, everything is fine? Now, it just keeps going and going with higher THC content, so where is the end, right?

**Research Question 4**

When discussing police tactics and response time to crime, the researcher wanted to understand if there is a change in the response time to crime and tactics used by officers in the execution of their daily duties. The fourth research question asked: *How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?* This research question aligned with interview questions 5 and 6 (see Table 20), which were designed to explore how officers perceived that their tactics and response times changed and also what the biggest challenge they face with their job is due to the legalization of recreational cannabis.

**Table 20: Alignment of Sub Research Questions and Interview Questions**

Alignment of Sub Research Questions and Interview Questions

<table>
<thead>
<tr>
<th>Sub Research Questions</th>
<th>Interview Questions</th>
<th>Emerging Themes</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?</td>
<td>5. How do you perceive the legalization of recreational cannabis has affected police tactics and responses as it relates to crime?</td>
<td>1. No effect on response time.</td>
<td>67</td>
</tr>
<tr>
<td></td>
<td>6. What do you perceive as the biggest challenge you face due to the legalization of recreational cannabis?</td>
<td>2. The legality</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Illegal drug trade</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Difficulty with conducting Search and Seizure</td>
<td>20</td>
</tr>
</tbody>
</table>

Of the 16 respondents, only 15 answered the question. Per the Brandman University *Informed Consent Form*, a participant may choose not to answer a question; thus, as
requested by the participant, the researcher did not ask one of the participants this question. The following three themes emerged as the most prominent relating to the effect of legalization on police tactics and responses to crime.

➢ No effect on response time
➢ The legality of state versus federal law
➢ Increase in illegal drug trade
➢ Difficulty with legal search and seizure

**Theme 1: Officers articulated that legalization did not affect timely responses to crime.** This theme was referenced 11 times across 10 sources and represented 67% of the coded content (see Table 21). Most of the participants answered the question of how it related to their response time. The participants conveyed their professionalism in the performance of their duties as officers, stating that there was no effect on response time.

Table 21

*Frequency of No Effect on Response Time: Theme 1.*

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>No effect on response time</td>
<td>10</td>
<td>67%</td>
<td>5</td>
<td>6</td>
<td>11</td>
</tr>
</tbody>
</table>

*Note.* The *N* for participants for this question was 15, or 8 sheriff and 7 police officers.

They added that they are career officers and are bound by their duty to serve and protect. Participants stated that not responding to a crime can result in an individual losing their life, which contradicts the oath they took as officers. Here is what the officers had to say.
Participant 3 said,

For me, I can’t say it has affected how I respond to [a] crime, or how much time I take to respond. I mean, you get a call, and you respond. I don’t think about it. I can’t sit there going now what you know, someone needs my help, and I do my job. I am a sworn officer, sworn to serve and protect, and I love my job. I will do my job even if I do not agree with the decisions some people make. A crime happens, I respond.

Participant 6:

It really has not affected responses. I took an oath sworn to serve and protect, and as an officer, I will do my job when that call comes through. I am just more careful and aware of my surroundings. I have been doing this now for six years and, oh well.

Participant 7:

I don’t see it affecting responses to crime. I see that we are overwhelmed as officers, and we may need to hire more people, but we respond to the best of our ability in a timely manner. To be an officer, you have to love your job.

Participant 8:

As difficult as it is, sometimes I look the other way to give someone a break. As for affecting response time and tactics, giving them a break is the change in tactics, and for my response time, I am there when a call comes in.

Participant 9:

I always wait for backup before I go on specific calls. These guys don’t care anymore, especially when robbing a dispensary because of the cash they have.
Participant 10:

With my unit, it really does not come into play. We don’t have defined tactics that I can readily share. I can tell you that we evolve as the players change. Same game, different rules, different players.

Participant 12:

Police tactics. For me, I have to stay more vigilant in the part of town I patrol. Some parts of town have less criminal activities. During a traffic stop in the area I work, I am more aware of the car, the people in the car, and my surroundings. No offense, but we are not supposed to profile people, [but] I have to. I want to go home tonight. There are more weapons on the streets. As for responses to crime, I will always do my job.

Participant 14:

I am not sure it has affected tactics or responses to crime. It has affected the type of crime I respond to. There are more burglaries and break-ins of cannabis establishments. These guys have serious security systems, yet these burglars know how to get in. Inside job? Hmmm.

Participant 15:

I am not sure it has. I mean, we train, and we respond to crime when a call comes in so, I can’t say it has.

All the officers conveyed that they, as officers, were sworn to serve and protect. They took an oath and would fulfill their duty, obligation, and responsibility to serve and protect. Initially, when officers were asked about their attitudes regarding legalization, the same sentiment was conveyed. Several of the officers communicated that they enjoy
being police officers and that it takes a special kind of person to decide to become a police officer.

**Theme 2: Officers expressed that the biggest challenge faced is navigating the legality of state versus federal law.** The primary goal of this study is to understand the lived experiences of officers regarding the legalization of recreational cannabis.

When asked how legalization has affected their tactics, the researcher wanted to understand the most significant challenges they encountered in the commission of their job duties due to the legalization of recreational cannabis. This theme of ensuring it was legal was referenced 11 times by 9 of the 15 respondents, representing 56% of the coded content (see Table 22).

**Table 22**


<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>State vs Federal law</td>
<td>9</td>
<td>56%</td>
<td>7</td>
<td>4</td>
<td>11</td>
</tr>
</tbody>
</table>

*Note.* The N for participants for this question was 15, or 8 sheriff and 7 police officers.

Participant 1 shared,

> It really bothered me on a personal level that we established a state-created and protected constitutional right of an individual that, in doing so, mandated the government employees actually be involved in acts that were in themselves a violation of federal law. As a sheriff, as a peace officer, I take an oath, I administer an oath to every one of my deputies it says they'll uphold and protect the federal constitution and the state constitution and yet this law kind of tears us on that and it puts [it] there to [say], well, citizens have a right to do this, and you're supposed to help. You were supposed to do things that are in violation of
the federal law again; the slippery slope is saying how do I go to employees and say you have to follow these laws and enforce them but this one you can violate federal law because of a state? So those things all created concerns for me on a personal level.

Some of the other participants had this to say:

Participant 3: “The law is the biggest challenge. Is it legal or not?”

Participant 4: “Is it legal? Do I obey the state or federal law? I guess that is where it has changed, but I still will do my job.”

Participant 5: “Interpretation of the law is the biggest challenge. They keep coming up with all these laws that we have to interpret and implement. The whole federal and state thing makes it hard to know what to do sometimes.”

Participant 6: “The line between state and federal. It is still illegal under federal law but legal under state law. Which is it?”

Participant 8 explained it thus:

The way the law reads and the way it [legalization] was presented is different, and here is the problem. I am asked to uphold a state law over a product that is illegal under federal law. That is a struggle with my oath of office.

Participant 9 said: “Doing my job with different legal interpretations. The whole federal versus state thing is difficult on us officers.”

Participants also discussed the challenges with arrest and conviction. Some of the participants expressed displeasure with the way the law is written. Participant 10 said this: “Will the bust stick? The law is so all over the place that it has to be ironclad sometimes for the arrest to be valid. That can be frustrating.” Participants expressed
frustration with the law, and the frequency does suggest and support that. Perhaps the most succinct remark was from Participant 16, who said that “everything I do as a cop has changed. Not better or worse, just different.”

**Theme 3: Officers perceive frustration navigating the legal requirements relating to legal search & seizure.** When asked what they perceive as the biggest challenge faced as a result of the legalization of recreational cannabis, this theme of search and seizure was referenced six times across three sources, representing 20% of the coded content (see Table 23).

<table>
<thead>
<tr>
<th>Theme</th>
<th>No of Respondents</th>
<th>% of Respondents based on N</th>
<th>Sheriff</th>
<th>Police</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illegal search and seizure</td>
<td>3</td>
<td>20%</td>
<td>3</td>
<td>3</td>
<td>6</td>
</tr>
</tbody>
</table>

Table 23

*Frequency of Illegal Search and Seizure: Theme 3*

*Note.* The N for participants for this question was 15, or 8 sheriff and 7 police officers.

Participants like Participant 13 said, “I am not sure if I do my job; it will mean anything anymore. Those in the drug game are more educated about the law and use the law in their favor.” The participants who trained and worked with canines had the same reaction to search and seizure. Some members of the canine unit referenced the challenges they encounter with proper search and seizure and how using their dogs to conduct a proper search is no longer an option since legalization. The problem discussed is that there is no separation of the different.

Participant 2 explained it thus:

> We had to retire a lot of our dogs to the doggie retirement home. In a dog’s brain, which [obviously] is different from ours, they have a scent picture, so [for example] they don't fit on the smell of pizza, but they actually smell all the pieces
of that pizza the cheese, the sauce the dough and all that stuff. So once a dog knows, once I get that odor of marijuana, I can play. If I tell the handler, I smell of marijuana I can play, but it [the dog] knows that back then if I smell one of these eight things meth, heroin, coke, marijuana, I get to play if I do the right thing. So he [dog] goes around the car, that light clicks on his head. He sits or scratches; he gets to play. To be able to remove marijuana from that, the dog's brain just doesn't work like that; once you're in, you're in, so you got to start over with a different dog.

Participant 13 said this:

Because I don’t or can’t use my dog as much, it makes for a search that much more difficult. It feels like the law is written to protect the criminals, not the enforcers of the law. I love working [in] the canine unit, and my dog and I go way back.

Their biggest concern was if the search was going to be considered an illegal search, which would invalidate the work they had just done. When discussing the dogs, the participants were visibly emotional, and it became clear to the researcher that on this issue, the participants felt defeated.

**Interview Observations**

Some interview questions caused some of the participants to exhibit emotional responses. Observations from the interview notes found that officers were reluctant to discuss their perceptions and how legalization affected their job duties. There was the occasional looking around the place selected for the interviews, looking at the watch indicating time is running out, the uneasy feeling of shifting in a seat, and on occasion,
the verbal “I don’t want to talk about that.” The participants, however, expressed a desire to participate in this study because they felt it was important for them to share some of the challenges they have had to endure since legalization.

Summary

The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime and to determine how officers perceive the legalization of cannabis has affected policing efforts, police tactics, and responses to crimes. Chapter IV began with a recap of the purpose statement and research questions, research methods and data-collection procedure, population, sample, demographic data, and data and findings.

The population for this study consisted of 16 officers of the law—8 from the Larimer County Sheriff’s Department and 8 from the Denver Police Department. The interviews were conducted over 48 hours in Denver, Colorado, and were limited to 30 minutes as the COVID-19 (coronavirus) pandemic was on the horizon. The data were reported in terms of the frequency of the most common themes and coded responses.

Chapter V reports the findings in detail by presenting a final summary of the study, including the findings, conclusions, and recommendations. Chapter V also presents unexpected findings, implications for action, recommendations for further research, and concluding remarks and reflections from the researcher.
CHAPTER V: FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

In this phenomenological study, the researcher described the lived experiences of Colorado police and sheriff officers about their perceptions and attitudes regarding legalized recreational cannabis and crime. The researcher utilized face-to-face interviews to collect data, and an analysis of the data generated resulted in four major findings. As a result of these findings, conclusions were formed, implications for action were explored, and recommendations for future research were made.

Chapter V begins with the purpose statement, research questions, methodology, population, and sample. The chapter continues with the major findings, unexpected findings, and conclusions. Chapter V ends with implications for action, recommendations for future research, and concluding remarks and reflections.

Purpose Statement

The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police officers on the legalization of recreational cannabis and crime, and to determine how police and sheriff officers perceive the legalization of cannabis has affected policing police tactics and responses to crimes.

Central Research Question

What are the lived experiences of Colorado officers as it relates to the legalization of recreational cannabis and crime, policing, police tactics, and responses to crime?

Research Questions

1. What are the attitudes of Colorado officers on the legalization of recreational cannabis?
2. What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?

3. How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?

4. How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?

**Research Methods and Data-Collection Procedures**

For this qualitative phenomenological research study, in-depth interviews with 16 police and sheriff officers were conducted to gain insight into their lived experiences related to the legalization of recreational cannabis and crime, policing, police tactics, and responses to crimes. The 16 interviews and observations were the primary form of data collection. The initial time scheduled for these interviews was 30 to 60 minutes; however, at the time of these interviews, the world was dealing with the COVID-19 (coronavirus) pandemic. Denver, Colorado had reported six cases of coronavirus, and the recommendation from the Centers for Disease Control (CDC) was to limit social interaction. Thus, in compliance with the guidelines of the Centers for Disease Control (CDC) to limit social interaction, the interviews were limited to 30 minutes per participant. Nine open-ended questions were developed and asked of the participants.

The researcher conducted 16 interviews using a Sony UX 560 digital voice recorder (see Appendix F). This device was selected to record the interview for its expandability and clarity rating. The device allowed the researcher to upload the recorded audio to his personal computer via a program called Sound Organizer. The researcher
then utilized third-party software called Vocalmatic to transcribe the interviews from audio to a Word document.

Upon approval from Brandman University’s IRB, the researcher sent an invitation to participate by email to the office of Denver Chief of Police Paul M. Pazen and Larimer County Sheriff Justin Smith, including asking for assistance in identifying prospective participants. Additionally, the researcher contacted an acquaintance who is an officer with the Denver Police Department with eight years of service and asked about associates that may be interested in participating in this research. The researcher applied the snowball strategy to identify the required number of participants. By applying a snowball strategy, the researcher ensured the availability of participants that met the criteria.

The Larimer County Sheriff responded positively (See Appendix M), and the interview was scheduled for March 11, 2020, at the Larimer County Sheriff’s Department office located in Fort Collins, Colorado. The researcher interviewed Larimer County Sheriff Justin Smith, North Colorado Drug Force Captain Joe Shellhammer, and officers with the Larimer County Sheriff’s Department. Applying the snowballing approach and recommendations from other officers, the researcher interviewed additional officers from the Denver Police Department who met the criteria.

**Population**

The population of a study is “a group of elements or cases, whether individuals, objects, or events, that conform to specific criteria and to which we intend to generalize the results of the research” (McMillan and Schumacher, 2010, p. 129). The population for this study was sworn police and sheriff officers in the United States, where recreational cannabis was legal. The population of this study was all 134,069 sworn police and...
sheriff officers from the 10 states where recreational cannabis is legal, which was reduced
to the state of Colorado, where there are 6,881 sworn police officers and 3,727 sworn
sheriff officers (Reaves, 2011). Studying a population of such magnitude is often
impossible due to fiscal and time constraints; thus, the population was narrowed to
identify a target population. The target population was limited to Denver police officers
consisting of about 1500 sworn officers (Denvergov.org) and Larimer County sheriff
officers, which consisted of about 400 sworn officers (Larimer.org).

Sample

The sample, which is “the group of subjects or participants from whom the data
are collected” (McMillan and Schumacher, 2010, p. 129), included Denver police officers
and the Larimer County sheriff officers. The sample is delimited to officers with over
five years of continuous service in the police or sheriff’s department in the state of
Colorado. The sample for this study was selected from the sampling frame of Denver and
Larimer County police and sheriff officers.

The sample included all officers, including, but not limited to, sergeants,
detectives, lieutenants, and captains, in the state of Colorado who have worked as patrol
officers and have been previously stationed in the jail, assisting with the interviewing,
booking and assigning residences to inmates in the jail system. A sample size of 16 from
the population is ideal, and according to McMillan and Schumacher (2010), population
size in a qualitative study can appear smaller in comparison to the larger population.
Participants were selected based on the following criteria:

- Current employment with the Denver Police Department
- Current employment with the Larimer County Sheriff’s Department
• Previous employment at the jailhouse in Larimer County

• A minimum of 5 years of service as a Colorado law enforcement officer

**Demographic Data**

The qualitative phenomenological research study utilized in-depth face-to-face interviews with eight police and eight sheriff officers for a total of 16 officers from the target population who had between 6 and 29 years as officers in the State of Colorado and between 2 and 20 years in their current position. Table 4 (repeated here for ease of reference) presents participants' demographics data at the time of the study.

Table 4

*Participant Demographics*

<table>
<thead>
<tr>
<th>Participant</th>
<th>Department</th>
<th>Years of Service</th>
<th>Years at position</th>
<th>Ethnicity</th>
<th>Gender</th>
<th>Highest Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sheriff</td>
<td>29</td>
<td>10</td>
<td>W</td>
<td>M</td>
<td>Masters</td>
</tr>
<tr>
<td>2</td>
<td>Sheriff</td>
<td>27</td>
<td>20</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>3</td>
<td>Sheriff</td>
<td>11</td>
<td>8</td>
<td>W</td>
<td>M</td>
<td>Some College</td>
</tr>
<tr>
<td>4</td>
<td>Sheriff</td>
<td>14</td>
<td>9</td>
<td>W</td>
<td>M</td>
<td>Some College</td>
</tr>
<tr>
<td>5</td>
<td>Sheriff</td>
<td>7</td>
<td>2</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>6</td>
<td>Sheriff</td>
<td>6</td>
<td>6</td>
<td>W</td>
<td>F</td>
<td>Bachelors</td>
</tr>
<tr>
<td>7</td>
<td>Sheriff</td>
<td>15</td>
<td>10</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>8</td>
<td>Sheriff</td>
<td>10</td>
<td>8</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>9</td>
<td>Police</td>
<td>12</td>
<td>8</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>10</td>
<td>Police</td>
<td>10</td>
<td>6</td>
<td>B</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>11</td>
<td>Police</td>
<td>22</td>
<td>17</td>
<td>B</td>
<td>M</td>
<td>Masters</td>
</tr>
<tr>
<td>12</td>
<td>Police</td>
<td>11</td>
<td>11</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>13</td>
<td>Police</td>
<td>8</td>
<td>3</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>14</td>
<td>Police</td>
<td>6</td>
<td>6</td>
<td>H</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>15</td>
<td>Police</td>
<td>13</td>
<td>7</td>
<td>H</td>
<td>M</td>
<td>Bachelors</td>
</tr>
<tr>
<td>16</td>
<td>Police</td>
<td>10</td>
<td>6</td>
<td>W</td>
<td>M</td>
<td>Bachelors</td>
</tr>
</tbody>
</table>
Major Findings

The focus of this qualitative research was to discover the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime while carrying out their daily duties as sworn officers. Furthermore, this research would uncover how the legalization of cannabis has affected policing, police tactics, and responses to crimes. The researcher interviewed 16 participants for this research. Participants interviewed had lengthy careers, which they drew upon to produce their stories and present their lived experiences.

These stories provide an insight into the lived experiences of these officers as a subset of officers in the state of Colorado, where recreational cannabis is legal. The data collected was analyzed, and the findings aligned with the four sub research questions (see Table 24). The analysis resulted in 14 major findings.

Table 24

Alignment of Sub Research Questions and Interview Questions

<table>
<thead>
<tr>
<th>Sub Research Questions</th>
<th>Interview Questions</th>
<th>Emerging Themes</th>
<th>%</th>
</tr>
</thead>
</table>
| What are the attitudes of Colorado officers on the legalization of recreational cannabis? | 1. Tell me about your attitude about the legalization of recreational cannabis. | 1. Oppose legalization  
2. Increased use of illicit drugs  
3. Tax revenue for the state | 75  
56  
37 |
| What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime? | 2. Tell me about your perception about the impact of the legalization of recreational cannabis.  
7. What changes have you experienced in the nature of crimes being committed over since | 1. More Violent Crime  
2. Politics of Amendment  
3. Increase in Burglary  
4. Organized Crime | 53  
40  
40  
33 |
How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?

3. Tell me about your experience working as a police officer since the legalization of cannabis.

4. Over the last five years, how has legalization of cannabis affected your daily job duties?

8. How has legalization of recreational cannabis impacted how you currently carry out your duties?

9. What aspects of your daily job duties have been impacted by legalization of recreational cannabis?

How has the legalization of recreational cannabis in Colorado affected police tactics and responses as it relates to crime in Colorado?

5. How do you perceive the legalization of recreational cannabis has affected police tactics and responses as it relates to crime?

6. What do you perceive as the biggest challenge you face due to the legalization of recreational cannabis?

Emerging Themes

- Officers oppose legalization.
- Officers have an unfavorable opinion regarding legalization because they feel it can lead to increased access/use of illicit drugs.
➢ Officers feel that the only reason the state legalized cannabis is for the tax revenue it generates for the state.

➢ Officers’ viewpoint is that legalization has led to more violent crimes.

➢ Officers perceive that the goal of Amendment 64 was to change perceptions about recreational marijuana.

➢ Officers have the impression that legalization will lead to an increase in burglary.

➢ Officers are cognizant of the possibility of an increase in organized crime activities.

➢ Decriminalization of non-medical use, possession, and purchase of narcotics.

➢ Increase in crime negatively impacting policing efforts.

➢ Increase in homelessness and transient population.

➢ Lack of effective regulation.

➢ Officers expressed that legalization has had no effect on timely responses to crime.

➢ Officers expressed that the biggest challenge faced is navigating the demands of state versus federal law.

➢ Officers perceive frustration navigating the legal requirements relating to legal search and seizure.

**Research Question 1**

What are the attitudes of Colorado officers on the legalization of recreational cannabis?

**Finding 1: A majority of officers oppose the legalization of recreational cannabis.** A major theme that developed from the first sub-question was that 69% of the
participants did not favor the legalization of cannabis. The reasons they expressed ranged from an increase in the homeless population to increased drug use and from increase in the illegal transportation of narcotics to politics. As Participant 1 said, “People say I should be thrown out of office because I oppose legalization. I will rather be known for my true opinions based on my experience than say I am going to tell society what they want to hear.” Statements like “I don't support it” were used to describe the attitudes about legalization. Despite their disagreement with legalization, all 16 participants expressed their love for their current position in the force and stated that they took the idea of serving and protecting seriously.

Finding 2: Officers have an unfavorable opinion regarding the legalization of recreational cannabis because they feel it can lead to increased access/use of illicit drugs. Increased drug use was identified by 37% of the participants as a symptom of legalization. Participants expressed to the researcher that not only has the quantity of drugs they encounter changed since the legalization of recreational cannabis, but the type of drugs they encounter has changed. Participant 7 said that “Legalization has created an increase in the type of drugs available to the public. I think it leads to people using more drugs, and yes, drugs were always here, but now, there is more meth, coke, and heroin.” According to Johnson (2020), the Substance Abuse and Mental Health Services Administration tracks states with the highest substance abuse. In 2015, Colorado was ranked number one in the consumption of opioid painkillers, alcohol, cocaine, and marijuana. Participants shared how they have seen an increase in access to other illicit mind-altering drugs, and described feeling like it is a battle that they are losing.
Finding 3: Officers feel the only reason the state legalized recreational cannabis is for the tax revenue it generates for the state. 37% of participants believed that the reason the state legalized cannabis for recreational use is because of the tax benefit. They questioned how much tax the state collected and how they allocated the tax revenue. According to the Colorado Department of Revenue (2020), marijuana state tax revenue for the state of Colorado has surpassed $1 billion; however, only 2.6% of the total tax revenue collected has been allocated to public safety. Participant 1 said, “The idea of government was going to step in and say [that because] we get tax dollars, we think we can make it [marijuana] an okay thing. For me, it was a concern about a slippery slope.” Officers expressed being frustrated, and they believe that the state legalized marijuana strictly for the tax revenue and not as something that will directly enhance and benefit the residents of Colorado.

Research Question 2

What are the perceptions of Colorado officers on how the legalization of recreational cannabis has impacted crime?

Finding 4: Officers perceive the legalization of recreational cannabis has led to more violent crimes. “My concern is that it would be followed by more crime or violence, the things that a police officer typically associated with illicit drug activity or mind-altering drugs.” (Participant 1) An overwhelming 66% of the participants in this study agreed that the legalization of recreational cannabis could lead to increased crime and increased drug use. According to the Colorado Division of Criminal Justice (2019), violent crime, which includes murders, aggravated assaults, and robbery, increased from 23,373 incidents in 2017 to 25,554 in 2018. Also, according to the Colorado Bureau of
Investigators (2018), from 2013 to 2017, Colorado experienced a 25% increase in violent crimes. Participant 5 remarked, “Is this because of recreational marijuana? Can't say, but it sure feels like it.”

While participants could not definitively say that the reason for an increase in crime is because of legalization, they noted that from 2014 to now, data suggests that the crime rate has steadily increased. This time frame coincides with when marijuana was legalized for recreational consumption in Colorado. The participants made statements to the effect that they would not choose to do anything else as a career. They conveyed the message that Colorado, even with the current challenges they are facing, is still a wonderful place to live.

Finding 5: Officers perceive that the goal of Amendment 64 was to change perceptions about recreational marijuana. Colorado Amendment 64 called for the legalization of recreational marijuana, allowing for persons over the age of 21 possession and personal consumption of a limited quantity of marijuana; however, under federal law, marijuana’s classification as a Schedule I drug makes it illegal. A full 40% of participants believe that Amendment 64 was designed to override how people view legalization by changing their perception of marijuana. Justification for the amendment included eliminating a black market, increased revenue for education, and reduction in marijuana use by teenagers. “What we're doing is taking a substance that is still federally illegal and no doubt about it, and we're going to stay [silent] while we're going to violate that federal law because we just don't think that one's good” (Participant 1).

Recently, the Colorado legislature passed a few laws governing areas such as the delivery of marijuana, allowing pot lounges and out-of-state investment. Marijuana sales
in Colorado topped $1.75 billion (CDOR, 2020); thus, as the industry continues to grow, there seems to exist political clout that surrounds it. Participants believe that Amendment 64 was implemented to convince people that legalization is in their best interest. As they shared their views on this topic, they expressed a sense of frustration and uncertainty. Participant 14 said: “I think it is a bad idea. I signed up to serve and protect, and I will do my job, but legalization only brings more trouble with it.”

Finding 6: Officers have the impression that the legalization of recreational cannabis will lead to an increase in burglary. 40% of officers reported an uptick in the commission of the crime of burglary. Participant 12 said, “I arrested this guy for burglarizing a dispensary” and Participant 3 added, “There is an increase in burglary and petty crime.” In fact, in 2018, Colorado enacted Senate Bill 13-283, which called for a study on the impact of legalization specifically as it relates to law enforcement activities. The Colorado Division of Criminal Justice and Colorado Department of Public Safety state that:

The most common industry-related crime was burglary, which accounted for 59% of all industry-related crime in 2017. There has been concern that due to the cash-only nature of the industry, robbery would be prevalent [sic], but this had not been the case (p.31).

Though they did not explicitly say that legalization is the cause, they alluded to legalization as the cause for an increase in burglary. The observation from the officers was supported by the findings of the Colorado Division of Criminal Justice and Colorado Department of Public Safety.
Finding 7: Officers are cognizant of the possibility of an increase in organized crime activities due to the legalization of recreational cannabis. Participant 2 said, “Organized crime like cartels, well [like] the Sinaloa and Hector Beltran Leyva cartel, is in Colorado. They get through [Highway]80, and they [make] eight times the profit.” Illegal drug trade and cartel influence in Colorado was an area of frustration for the participants. The illegal transportation of narcotics, especially across state lines, was mentioned by several of the participants. Although 40% of officers specifically mentioned organized crime in response to this finding, at some point during the interviews, all 16 participants mentioned the influence of organized crime and how that has led to an increase in drug use, crime, violent acts, gang activity, and threats to the overall safety of the people of Colorado. With interstate commerce, there are no border stops between states as there are between countries; thus, rather than import the drugs from across the border, the cartels set up grows and logistics in Colorado.

Data suggests that the influence of organized crime in Colorado has increased since 2008. According to the 2018 report on the impact of legalization in Colorado conducted by the Colorado Department of Public Safety (2018), court filings in organized crime cases decreased between 2012 and 2013. In 2012 there were 31 organized crime filings. That number increased to 119 in 2017. The North Colorado Drug Task Force conducted several operations leading to arrests for drug production with intent to distribute. One such arrest involved 10 individuals. At the time of arrest, they had in their possession the following:

Methamphetamine: 37.85 pounds (some believed to be laced with fentanyl for addictive qualities)
Heroin: 108 grams
Marijuana: 5 pounds
Prescription drugs (Oxycodone and Fentanyl): 213 pills
Mushrooms: 11 grams
Cocaine: 6 grams
Rifles/shotguns: 6
Handguns: 6
U.S. Currency: $13,000 (Larimer.org)

Through the shared stories, it was clear to the researcher that participants were not inaccurate in believing that there was the possibility of an increase in the activities of organized crime.

Research Question 3

How has the legalization of recreational cannabis in Colorado impacted current policing efforts in Colorado?

Finding 8: Officers expressed displeasure with the decriminalization of non-medical use, possession, and purchase of narcotics. Colorado House Bill 1263 makes the possession of up to 4 grams of substances such as heroin, fentanyl, cocaine, and most other illicit drugs a misdemeanor instead of a felony. 40% of the participants expressed a feeling of frustration about the legal system and the need for the legislature to reevaluate the laws, not relax them. Participant 2 shared that with the possession of 4 ounces of illicit drugs such as heroin, methamphetamine, fentanyl, and cocaine considered a misdemeanor, the punishment is that “You get a ticket. You can get caught three times,
and you get a ticket. Where does it all end?” Participants expressed anxiety and displeasure with the legislature and how this new law will only add to their current duties.

Finding 9: Officers express how an increase in crime has negatively impacted policing efforts. This theme was referenced 13 times over 10 sources and represented 63% of the coded content. Participants, relying on their experience and the longevity of their careers, provided an insight into the change in crime. Through their shared experiences, it became apparent to the researcher that the increase in crime negatively impacted their policing efforts. The inability to effectively perform their community outreach program was one that was a point of contention with the officers. Participant 15 said that “as a patrol officer who also does community patrol, I speak to business owners who are worried about the increase in crime in their area.”

Finding 10: Officers attribute an increase in homelessness and transient population as a symptom of the legalization of recreational cannabis. 60% of participants cited an increase in homelessness and the transient population as a symptom of the legalization of recreational cannabis. Participant 1 said that “My homeless population has gone up and impacted my jail,” and Participant 2 said that “Our homeless population before legalization, average age was like 56/57, and now through these years we are down to like 26/27.” Data presented by the National Alliance to End Homelessness (2018) suggests that in 2012 Colorado’s homeless population was 16,000, which dropped to 9,700 by 2013; however, since 2013, a year after recreational cannabis was legal, Colorado has experienced an 8% increase in the homeless population, which fueled the conjecture that there is a connection between the legalization of marijuana and an increase in homelessness. Participants pointed out there was the great “green” rush
that Colorado was enjoying with the legalization of recreational cannabis, and that created a mass relocation to Colorado. The increase in homelessness is essentially a direct result of embracing the green rush without a plan; thus, many individuals, mostly young males, have to deal with homelessness.

The increase in the homeless population has impacted the jail. Participant 1 said that between 2012 and 2018, the population went from about 438 in 2012 to 600 in 2018, with a majority of the inmates identifying as transients. The researcher repeatedly heard from the participants that homelessness was a direct result of the desire to become part of the marijuana culture. Colorado Governor John Hickenlooper, in his state of the state address in 2016, said: "There’s no question that marijuana and other drugs—in combination with mental illness or other disabling conditions—are essential contributors to chronic homelessness."

**Finding 11: Officers express frustration with lack of effective regulation.**

This finding was cited by 15% of the participants. “They built it under a promise of as a criminal industry; it’s not going to be regulated, so all bad things are going on.”

(Participant 1) The state formed the Marijuana Enforcement Division (MED), which was responsible for monitoring and issuing criminal charges to cannabis establishments that violated the law. Cannabis businesses were required to tag their products for tracking from seed to sale, allowing for regulation and reduction in illegal activity. However, the limitation with the MED is that they are only responsible for state-registered establishments and do not monitor non-registered establishments. Additionally, there is the question of what agency has jurisdiction. The laws about recreational cannabis are different from state to state, and that creates confusion, which is exploited by the
traffickers and organized crime. Participants expressed that though the MED presents itself as a criminal law enforcement division, they are housed under the Department of Revenue—not the Department of Public Safety, not criminal justice revenue. The success of the division is measured by how much they have collected in fees and fines.

**Finding 12: Officers expressed that legalization has had no effect on timely responses to crime.** 67% of participants overwhelmingly expressed that legalization did not affect their response time to a crime. Participants stated that not responding to a crime can result in an individual losing their life, which contradicts the oath they took as officers. Several of the officers communicated that they enjoy being an officer and that it takes a special kind of person to decide to become a police officer. Participant 6 said, “It really has not affected responses. I took an oath sworn to serve and protect, and as an officer, I will do my job when that call comes through.” Participants showed a sense of pride, motivated by their duty as officers to help and uphold the law. They took an oath and would fulfill their duty, obligation, and responsibility to serve and protect.

**Finding 13: Officers expressed that expressed that the biggest challenge faced is maneuvering the legality of State versus Federal law.** “We established a state-created and protected constitutional right of an individual that, in doing so, mandated the government employees, actually be involved in acts that were in themselves a violation of federal law,” said Participant 1. 56% of the participants regarded the interpretation of the law as a factor that affected their daily duties. Several participants were conflicted with the law and upholding the law. Participant 1 said:

   As a Sheriff, as a peace officer, I take an oath, I administer an oath to every one of my deputies it says they’ll uphold and protect the federal constitution and the state
constitution and yet this law kind of tears us on that and it puts [it] there to [say] well, citizens have a right to do this, and you're supposed to help.

The consensus among participants was to wonder how they were expected to support a law that is legal on the state level and illegal on the federal level. The legalization of cannabis is a state decision, and the issuance of licenses to dispensaries is a county decision. Many times, the researcher was reminded that as an officer of the law, each participant’s oath is to serve and protect. Several of the participants asked whether recreational marijuana was truly legal and which law they should enforce. In discussing the conflict, several of the participants were visibly emotional; however, they acknowledged that though there is a change, they still have an obligation to carry out their duties as officers. Though participants expressed pride that they are law enforcement officers, they also felt conflicted with the making a choice between upholding a state law and upholding federal law.

Finding 14: Officers express frustration in navigating the legal requirements relating to legal search and seizure. Participant 13 said, “I am not sure if I do my job; it will mean anything anymore. Those in the drug game are more educated about the law and use the law in their favor.” This was a sentiment with which 20% of the participants agreed. Some members of the canine unit referenced the challenges they encounter with proper search and seizure and how using their dogs to conduct a proper search is no longer an option since legalization. Having a dog smell other drugs not disclosed in the search disqualifies the whole search. As Participant 2 said:

So he [dog] goes around the car, that light clicks on his head. He sits or scratches; he gets to play. To be able to remove marijuana from that, the dog's brain just
doesn't work like that. Once you're in, you're in, so you got to start over with a different dog.

Their biggest concern was whether the search was going to be considered an illegal search, which would invalidate the work they had just done.

**Unexpected Findings**

The study resulted in two unexpected findings. The first unexpected finding was an increase in the level of homelessness that officers attribute to the legalization of marijuana. According to Moore (2018), the Department of Human and Urban Development (HUD) suggested that following legalization, between 2014 and 2017, homeless rates increased dramatically in Colorado by 9.1%. Those numbers are in line with the increase experienced in Larimer County, where Larimer County Sheriff Justin Smith said that between 2014 and 2017, his jail population went up from about 430 inmates to about 600 inmates, indicating a yearly increase of about 12%.

The second unexpected finding was related to the increased use of opioids, and the policy that possession of 4 grams or less of drugs such as fentanyl, cocaine, and heroin will be considered a misdemeanor. Participants in this study described an increase in drug use as a symptom of legalization. The participants acknowledged that this new law, which goes into effect on March 1, 2020, would only add to the frustration they currently experience as officers of the law.

**Conclusions**

This study involved understanding the lived experience of police and sheriff officers, discovering the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime while carrying out their daily duties as
conclusions are drawn based on the data collected from interviews, interview notes, and the literature.

**Conclusion 1: Officers oppose legalization of recreational cannabis but display pride and tenacity in the execution of their duties.**

Based on the findings that officers oppose legalization yet continue to enforce the law, it can be concluded that being an officer requires pride and tenacity. One of the most resounding themes from the participants was that they love their jobs and will do their jobs no matter what. Regarding doing their job in light of opposing legalization, Participant 14 explained, “Personally, I have a problem with it being legal, but I have a job to do.” Participant 15 concurred by saying, “I can’t say that I agree with legalization, but I have a job to do so I do it.” Participant 1 said that “This career has been a calling.” The participants in this study exhibited a sense of pride in their business, and this is evident by the data showing their length of time they have served as officers. As difficult as it may have become, that shows that no matter what, they will not quit, and they will never stop trying.

**Conclusion 2: The legalization of recreational cannabis will require strong leadership to navigate the landscape in combating the possibility of an increase in organized crime activities.**

Based on the findings that officers are cognizant of the possibility of an increase in organized crime activities, it can be concluded that there is a need for strong leadership to navigate the landscape. Regarding the topic of organized crime, Participant 2 said that “Organized crime like cartels, well [like] the Sinaloa and Hector Beltran Leyva cartel is
The literature, according to Crandall (2013), tells us that the war on drugs, which cost billions of dollars, failed to eradicate the production and trafficking of narcotics; thus, there is the possibility that organized crime will be prominent in the legal marijuana trade. Navigating that landscape and combating the increase in organized crime requires strong, cognizant, unflinching leaders. The sheriff officers interviewed talked about how the sheriff is always there for them and how much the sheriff has grown as a leader. It is, therefore, logical to conclude that part of the reason that the team exhibits tenacity and pride for their job is the leadership that they have.

**Conclusion 3: Making tough decisions while questioning the legality of state versus federal law will be required.**

Based on the findings that officers question the legality of state versus federal law, it can be concluded that one of the responsibilities of an officer is to make those tough decisions and adhere to them. As an officer of the law, making those decisions can mean the difference between life and death for both officers and ordinary citizens. On the difference between federal and state law regarding recreational cannabis, Participant 1 explained it thus: “We established a state-created and protected constitutional right of an individual that, in doing so, mandated the government employees, actually be involved in acts that were in themselves a violation of federal law.”

Officers revealed that they are conflicted in deciding which law to uphold. They have taken an oath to serve and protect, to obey and to the constitution. The internal conflict is explained thus by Participant 1:

As a Sheriff, as a peace officer, I take an oath, I administer an oath to every one of my deputies it says they’ll uphold and protect the federal constitution and the state
constitution and yet this law kind of tears us on that and it puts [it] there to [say] well, citizens have a right to do this, and you're supposed to help.

These officers are making that tough decision that no matter what, whether or not they agree with how the law reads; they have taken an oath, and will do their jobs. Leaders who can make and abide by those tough decisions inspire others to do the same.

**Implications for Action**

The attitudes and perceptions of law enforcement officers regarding the legalization of cannabis is a topic that has very little data. The implications for this research provide additional content in the attitudes and perceptions of officers and can be a road map for states that are considering legalizing recreational cannabis.

**Implication 1**

Based on the conclusion that officers display tenacity, it is recommended that the state legislature conduct surveys asking members of the police and sheriff department for their input before enacting a new law that the officers will have to enforce. These surveys need to include officers that will be directly responsible for enforcing the law. By conducting the surveys, the state legislature should understand the challenges the officers are dealing with while trying to enforce the laws.

**Implication 2**

Based on the conclusion that there is an increase in organized crime activities, it is recommended that the state legislature consult with an independent group to oversee and to study the potential outcome of the proposed laws and their unintended impact on the landscape. Furthermore, cross-training sessions should take place between police and sheriff officers, sharing tactics and best practices on how they handle specific situations.
Cross-training and collaboration will enhance their fight against organized crime, strengthen their tenacity, increase morale and ensure that they continue to exhibit pride in their job.

**Implication 3**

Based on the conclusion that officers question the legality of state versus federal law, there is a need for a department that will address the issue of interpretation, accountability and support for officers. Some laws are vague in their interpretation, and that creates loopholes even though, as bills are signed and turned into laws, the officers are expected to interpret them correctly. Officers are expected and required to uphold the Constitution and execute the laws of the land. While officers are highly capable and competent in rising to the occasion, these challenging situations, the vagueness of the law, and the lack of accountability only add to their frustration.

**Recommendations for Further Research**

At the time of this research, the state of Illinois has recently become the 11th state to legalize the sale of recreational marijuana. The primary purpose of this study was to understand the lived experiences of officers; however, it is essential to explore areas where there was limited representation.

**Recommendation 1**

A replication study in Colorado to include social service providers, medical providers, and the legalization of recreational cannabis. Is there an increase in the need for social services since legalization? Understanding the increase in social services will be essential in the budgeting of that department.
Recommendation 2

A mixed-method study that will explore the relationship between the legalization of recreational marijuana and an increase in homelessness in one of the 11 states where recreational cannabis is legal. This study should examine homeless individuals and report the findings from their point of view. It is imperative to understand whether marijuana legalization leads to homelessness, and if so, why.

Recommendation 3

Is there a correlation between the legalization of cannabis and an increase in crime? At what point does the crime peak, and does it level off? A mixed-method study will give insight into the types of crimes committed and the time frame in relation to legalization. Furthermore, this study will evaluate the idea that an increase in crime and an increase in homelessness are parallel.

Recommendation 4

It is recommended that an analysis be conducted to determine whether there is a difference between officers who have been on the force for more than 10 years and officers who have been on the force for less than 5 years in terms of how they react to the legalization of cannabis. As more people are accepting of recreational cannabis, understanding the difference between age groups becomes essential.

Recommendation 5

The fifth recommendation is to determine whether there is a correlation between the legalization of recreational cannabis and the increase in the homeless population in the state of California. Recreational cannabis became legal in California in 2018. The homeless population in 2018 was 89,000. Currently, California has a homeless
population of about 150,000. Furthermore, it is imperative to understand what percentage of homeless individuals in California relocated to California for legal marijuana.

**Recommendation 6**

The researcher recommends a replication study to determine if the primary findings of the original study can be applied to other states, comparing data between states to determine whether the original findings translate across states that legalized recreational cannabis.

**Recommendation 7**

Is there a correlation between the legalization of recreational cannabis and access to other illicit drugs? Is there a correlation between the legalization of recreational cannabis and an increase in the consumption of other illegal/illicit drugs? This study will lead to added insight into the notion that marijuana is a gateway drug.

**Recommendation 8**

The final study is to understand how police and sheriff officers deal with the legal loopholes affecting search of property or person after a traffic stop. Officers in the canine unit and the drug unit describe the limited use of their dogs.

**Concluding Remarks and Reflections**

At the time of this study, I work for an accounting and bookkeeping firm, and we have clients in the cannabis space. My initial interest in this study arose after I listened to some of my cannabis clients talk about how the challenges they faced with robbery because they are an all-cash business and how they were afraid. I also had some friends in the police department, and I listened to them talk about how things have changed. I attended a few town-hall meetings discussing the emerging cannabis business and the
security issues associated with it. The questions always centered around what the city and the police were doing to protect citizens. However, not once did I see anyone ask an officer how the changes in the law made them feel. No one was concerned about it. It was all about how the officers were going to protect citizens from burglars. I researched the topic and realized that literature about it was limited. At the same time, one of my clients decided to close their dispensary; they’d had enough. They had survived two previous robberies, but after a third, they decided it was not worth it anymore.

On my drive to work, exiting the freeway at the light, there is usually a homeless man with a sign asking for money. I tried to understand why he was homeless. He was diligent in his quest; however, on certain days of the week, a different person was there. They took turns. They were dedicated. Even in the harsh Colorado winter, with 0˚ temperatures, they came out. The primary individual usually held up a sign that read that he is a single dad. On the sign was a stock photo of two kids—a cutout from a magazine. One morning I asked him why he was there, and his response was simple—drugs. He looked sad but dedicated to his mission.

News channels in Colorado were filled with stories relating to legalization. My interest in finding out about the correlation between legalization and crime grew. During my research, and after a few discussions with some of my professors, the idea of conducting a phenomenological study on lived experiences emerged. It became my passion, my obsession, and the more I researched the topic, the more I realized that there was limited data about this phenomenon. Colorado was at the five-year mark for the legalization of recreational cannabis. As ground zero in the recreational cannabis
business, I wanted to understand how the perception of officers about legalization had changed. This topic quickly became my academic doctoral research.

At the time I scheduled my interviews, we were dealing with a worldwide pandemic called COVID-19; however, these officers still took time to meet with me. I needed to tell their story to the best of my ability. I was humbled when I met with Larimer County Sheriff Justin Smith, and North Colorado Drug Task Force Captain Joe Shellhammer. Their knowledge, candor, and transparency and willingness to share left me speechless after the interviews, and I thanked them. Other officers I met with at the time were dealing with a society in panic mode, yet they agreed to meet with me, if only for a brief stretch of time. I hope I accurately captured their sentiments and told their story. Thank you.
REFERENCES


Violence, 12(2), 255–274.


of Experimental and Clinical Research, 17(12), RA249-61. DOI: 10.12659/MSM.882116


Available at: https://lawecommons.luc.edu/luclj/vol37/iss4/5


Colorado General Assembly (2017, June 17). June 2017 economic and revenue outlook presentation. Retrieved from:


Gerhardt, J. (2016). Legal pot increases crime, grows the black market. *Arizona Capitol Times (Phoenix, AZ).*


https://www.history.org/foundation/journal/Winter15/hemp.cfm


United States Customs and Border Protection (October 6, 2015). *Did you know... marijuana was once a legal cross-border import?* Retrieved from: https://www.cbp.gov/about/history/did-you-know/marijuana


APPENDIX A

Script and Interview Questions

Interviewer: Zed Ayeni

Interview time planned: Approximately one hour

Interview location: A place selected by the participant

Recording: Sony digital voice recorder

Additional recording: Written field and observational noted

Introduction

Hello, my name is Zed Ayeni, and I want to thank you for participating in this survey. The purpose of this study is to discover the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime and how legalization has affected the way you police, affected the tactics used in carrying out your duties and responses to crime. The interview is scheduled for 60 minutes, and more time can be added is needed. Your participation is totally voluntary. Your confidentiality will be protected. The interview will be recorded thus you will be provided with Informed Consent and Audio Recording Release Form (Appendix D), the Audio Release Form (Appendix E) for your signatures, and the Participant’s Bill of Rights.

If at any time during this interview you do not understand the question being asked, please do not hesitate to ask for clarification. Do you have any questions at this time before we proceed?

Again, thank you for your participation.
Interviewee Demographics

1. How long have you been a police officer/sheriff deputy?

2. How long have you been employed by your current department?

3. What is your current job with the department you work for?

4. What is your race/ethnicity?
   ___ White
   ___ African American
   ___ Hispanic/Latino
   ___ Asian
   ___ Native American/Pacific Islander/+ 
   ___ Other, specify ____________

5. Sex
   ___ Male
   ___ Female

6. What is the highest level of education you have received?
   ___ High School/GED
   ___ Some college, no degree
   ___ Bachelor’s Degree
   ___ Graduate degree or more
Interview Questions

(Alignment to RQs are noted)

1. Tell me about your attitude about the legalization of recreational cannabis. (RQ1)
2. Tell me about your perception about the impact of the legalization of recreational cannabis. (RQ2)
3. Tell me about your experience working as a police officer since the legalization of cannabis. (RQ3)
4. Over the last five years, how has legalization of cannabis affected your daily job duties? (RQ3)
5. How do you perceive the legalization of recreational cannabis has affected police tactics and responses as it relates to crime? (RQ4)

Follow-up question:

6. What do you perceive as the biggest challenge you face due to the legalization of recreational cannabis? (RQ 4)

7. What changes have you experienced in the nature of crimes being committed over since the legalization of recreational cannabis? (RQ2)

8. How has legalization of recreational cannabis impacted how you currently carry out your duties? (RQ3)

Follow-up: Please elaborate on how legalization of recreational cannabis has impacted how you currently carry out your duties.

9. What aspects of your daily job duties have been impacted by legalization of recreational cannabis? (RQ3)

10. Is there anything else you would like to share with me now?
Closing:  Once again, thank you very much for your time.
APPENDIX B

Field-Test Participant Feedback Questions

While conducting the interview, you should take notes of their clarification request or comments about not being clear about the question. After you complete the interview, ask your field test interviewee the following clarifying questions. Try not to make it another interview; just have a friendly conversation. Either script or record their feedback so you can compare with the other two members of your team to develop your feedback report on how to improve the interview questions.

1. How did you feel about the interview? Do you think you had ample opportunities to describe what you do as a leader when working with your team or staff?
2. Did you feel the amount of time for the interview was ok?
3. Were the questions by and large clear, or were there places where you were uncertain what was being asked?
4. Can you recall any words or terms being asked about during the interview that were confusing?
5. And finally, did I appear comfortable during the interview… (I’m pretty new at this)?
APPENDIX C

Interview Feedback Reflection Questions
Conducting interviews is a learned skill set/experience. Gaining valuable insight about your interview skills and affect with the interview will support your data gathering when interviewing the actual participants. As the researcher, you should reflect on the questions below after completing the interview. You should also discuss the following reflection questions with your ‘observer’ after completing the interview field test. The questions are written from your perspective as the interviewer. However, you can verbalize your thoughts with the observer, and they can add valuable insight from their observation.

1. How long did the interview take? _____ Did the time seem to be appropriate?
2. How did you feel during the interview? Comfortable? Nervous?
3. Going into it, did you feel prepared to conduct the interview? Is there something you could have done to be better prepared?
4. What parts of the interview went the most smoothly, and why do you think that was the case?
5. What parts of the interview seemed to struggle, and why do you think that was the case?
6. If you were to change any part of the interview, what would that part be, and how would you change it?
7. What suggestions do you have for improving the overall process?
Informed Consent and Audio Recording Release and Participants Bill of Rights

Consent To Participate In Research

Brandman University

16355 Laguna Canyon Road

Irvine, CA 92618

INFORMATION ABOUT: The attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime.

RESPONSIBLE INVESTIGATOR: Izedomi Ayeni

TITLE OF CONSENT FORM: Consent To Participate In Research

PURPOSE OF STUDY:

I have been asked to participate in a research study conducted by Zed Ayeni, a doctoral student from the School of Education at Brandman University. The purpose of this phenomenological qualitative study was to discover the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime and determine how police officers perceive the legalization of cannabis has affected policing police tactics and responses to crimes.

PROCEDURES:

My participation in this study is voluntary and will include an interview with the identified student investigator. The one-to-one interview will take approximately 60 minutes to complete, in-person using a Sony UX 560 Digital Voice Recorder, and will be scheduled at a time and location of your convenience. The interview
questions will pertain to my perceptions, and my responses will be confidential. Each participant will have an identifying code, and names will not be used in data analysis. The results of this study will be used for scholarly purposes only.

I understand that:

a) The researcher will protect my confidentiality by keeping the identifying codes, and research materials safeguarded in a locked safe or password-protected digital file to which the researcher will have sole access.

b) My participation in this research study is voluntary. I may decide not to participate in the study, and I can withdraw at any time, ask for the recording to be deleted, and the digital audio card destroyed. I can also decide not to answer particular questions during the interview if I so choose. Also, the Investigator may stop the study at any time.

c) I understand that the interview will be audio recorded. The recordings will be available only to the researcher and the professional transcriptionist. The audio recordings will be used to capture the interview dialogue, and the information will be identifier-redacted, and my confidentiality will be maintained. Upon completion of the study, all recordings, transcripts, and notes taken by the researcher and transcriptionist from the interview will be destroyed.

d) Any questions I have concerning my participation in this study will be answered by Zed Ayeni, MBA, via email Ayen9201@mail.brandman.edu or by phone at (949) 943-9873; or Dr. Tamerin Capellino (Committee Chair) at capellin@brandman.edu
e) No information that identifies me will be released without my separate consent, and all identifiable information will be protected to the limits allowed by law. If the study design or the use of the data is to be changed, I will be so informed and consent re-obtained. There are minimal risks associated with participating in this research.

f) I understand that I may refuse to participate, or I may withdraw from this study at any time without any negative consequences. Also, the investigator may stop the study at any time. I also understand that no information that identifies me will be released without my separate consent and that all identifiable information will be protected to the limits allowed by law. If the study design or the use of the data is to be changed, I will be so informed and my consent obtained. I understand that if I have any questions, comments, or concerns about the study or the informed consent process, I may write or call the Office of the Chancellor, Brandman University, at 16355 Laguna Canyon Road, Irvine CA 92618, (949)341-7641.

I acknowledge that I have received a copy of this form and the Research participant’s Bill of Rights.”

I have read the above and understand it and hereby consent to the procedure(s) set forth.

____________________________________  Date: ______________________
Signature of Participant or Responsible Party

____________________________________  Date: ______________________
Signature of Principal Investigator
APPENDIX E

AUDIO RELEASE FORM

Research Study Title: The attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime.

BRANDMAN UNIVERSITY

16355 LAGUNA CANYON ROAD

IRVINE, CA 92618

I authorize Zed Ayeni, Brandman University Doctoral Candidate, to record my voice.

I give Brandman University and all persons or entities associated with this research study permission or authority to use this recording for activities associated with this research study.

I understand that the recording will be used for transcription purposes, and the information obtained during the interview may be published in a journal/dissertation or presented at meetings/presentations.

I will be consulted about the use of the audio recordings for any purpose other than those listed above. Additionally, I waive any right to royalties or other compensation arising correlated to the use of information obtained from the recording.

By signing this form, I acknowledge that I have completely read and fully understand the above release and agree to the outlined terms. I hereby release any and all claims against any person or organization utilizing this material.

_________________________  ____________________
Signature of Participant or Responsible Party               Date
APPENDIX F

Sony UX 560 Digital Voice Recorder
APPENDIX G

Participant’s Bill of Rights

BRANDMAN UNIVERSITY INSTITUTIONAL REVIEW BOARD

Research Participant’s Bill of Rights

Any person who is requested to consent to participate as a subject in an experiment, or who is requested to consent on behalf of another, has the following rights:

1. To be told what the study is attempting to discover.

2. To be told what will happen in the study and whether any of the procedures, drugs or devices are different from what would be used in standard practice.

3. To be told about the risks, side effects or discomforts of the things that may happen to him/her.

4. To be told if he/she can expect any benefit from participating and, if so, what the benefits might be.

5. To be told what other choices he/she has and how they may be better or worse than being in the study.

6. To be allowed to ask any questions concerning the study both before agreeing to be involved and during the course of the study.

7. To be told what sort of medical treatment is available if any complications arise.

8. To refuse to participate at all before or after the study is started without any adverse effects.

9. To receive a copy of the signed and dated consent form.

10. To be free of pressures when considering whether he/she wishes to agree to be in the study.

If at any time you have questions regarding a research study, you should ask the researchers to answer them. You also may contact the Brandman University Institutional Review Board, which is concerned with the protection of volunteers in research projects. The Brandman University Institutional Review Board may be contacted either by telephoning the Office of Academic Affairs at (949) 341-9937 or by writing to the Vice Chancellor of Academic Affairs, Brandman University, 16355 Laguna Canyon Road, Irvine, CA, 92618.

Brandman University IRB

Adopted

November 2013
Invitation to Paul Pazen, Chief of Police, Denver Police Department,

Dear Chief Pazen,

My name is Zed Ayeni, and I am a doctoral student at Brandman University who is conducting a study on perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime in Colorado and how police officers perceive the legalization of cannabis has affected policing, police tactics and responses to crimes. I spent two years in Broomfield, Colorado studying and observing the cannabis industry from a professional viewpoint as a member of an accounting firm with clients in the cannabis industry.

I developed an interest in this study from speaking to some of my friends that are members of the Denver Police Department. I also read part of the CNN interview given by Lt. James Henning, of the Denver Police Department and Larimer County Sheriff Justin Smith about this topic where they express divergent views about this topic.

Because Colorado was the first state to legalize cannabis for recreational use, lack of historical data made it difficult to conclude how legalization will affect public safety (Colorado Department of Public Safety [CDPS] 2018). I believe that the results of this study will enable the mayors of the different major cities in collaboration with the police chiefs in understanding the challenges faced by the members of the force in the execution of their duties as police officers.

Recreational cannabis business owners can also benefit from this study by gaining an insight into the challenges faced by members of law enforcement in policing and enforcing laws related to their business. Experts, in the criminal justice discipline such as
prosecutors and defense attorneys, will benefit from this research topic by understanding the potential frustrations faced by the law enforcement community and interpretation of the law, and results of this research can be shared with other states that are considering legalizing cannabis.

I would like to interview some members of the Denver Police department with more than five years of service all in Colorado. The interviews, scheduled tentatively for an hour, would be individually given on days and times that are convenient to their work schedules and in a location convenient to the participant. The interview will be recorded in order to create a written transcript. No names will be attached to notes or transcriptions from the interview. Upon completion of the study, all recordings, transcripts, and notes taken will be destroyed. No agency will have access to the information.

Also, I am interested in your perception of the current challenges faced as a leader in a Police Department that is ground zero for the emerging recreational cannabis industry and in assistance in identifying prospective participants.

I am available at (949) 943-9873 or Ayen9201@mail.brandman.edu to answer any questions you may have. In addition, you may contact my dissertation chair, Dr. Tami Capellino (951-285-0982) or email her at capelin@brandman.edu

Sincerely,

Zed Ayeni
Doctoral Candidate
Brandman University
Ayen9201@mail.brandman.edu
(949) 943 - 9873
APPENDIX I

**Invitation to Justin Smith, Larimer County Sheriff**

Dear Sheriff Smith,

My name is Zed Ayeni, and I am a doctoral student at Brandman University who is conducting a study on perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime in Colorado and how police officers perceive the legalization of cannabis has affected policing, police tactics and responses to crimes. I spent two years in Broomfield, Colorado studying and observing the cannabis industry from a professional viewpoint as a member of an accounting firm with clients in the cannabis industry.

I developed an interest in this study from speaking to some of my friends that are members of the Denver Police Department. I also read part of the response you gave in 2018 to CNN reporters Mclean & Weisfeldt, where you expressed that 30% of the inmates in the jail are transients who admitted that they relocated to Colorado because of cannabis. I am interested in your perception of the current challenges faced as a leader in a Sheriff’s Department, which is ground zero for the recreational cannabis industry.

Because Colorado was the first state to legalize cannabis for recreational use, lack of historical data made it difficult to conclude how legalization will affect public safety (Colorado Department of Public Safety [CDPS] 2018). I believe that the results of this study will enable the mayors of the different major cities in collaboration with the police chiefs in understanding the challenges faced by the members of the force in the execution of their duties as police officers.

Recreational cannabis business owners can also benefit from this study by gaining
an insight into the challenges faced by members of law enforcement in policing and enforcing laws related to their business. Experts, in the criminal justice discipline such as prosecutors and defense attorneys, will benefit from this research topic by understanding the potential frustrations faced by the law enforcement community and interpretation of the law. Consequently, states that are considering legalizing cannabis can benefit from the results of this research.

With your permission, I would like to interview some members of the Larimer County Sheriff’s department that have been on the force for five years more, all in Colorado. The interviews tentatively scheduled for one hour would be individually given on days and times that are convenient to their work schedules and in a location convenient to the participant.

The interview will be recorded in order to create a written transcript. No names will be attached to notes or transcriptions from the interview. The interviewee can at any time during the interview request that we terminate the interview, and the data card used for the audio collection be destroyed. Upon completion of the study, all recordings, transcripts, and notes taken will be destroyed. No agency will have access to the information. No agency will have access to the information.

I am available at (949) 943-9873 or Ayen9201@mail.brandman.edu to answer any questions you may have. In addition, you may contact my dissertation chair, Dr. Tami Capellino (951-285-0982), or email her at capellin@brandman.edu.

Sincerely,

Zed Ayeni
Doctoral Candidate
Brandman University
Ayen9201@mail.brandman.edu
APPENDIX J

Request for Identification of Participants from

Denver Police Officers Foundation

Manager, Ret. Det. J C Tyus Jr
dpof1999@hotmail.com

My name is Zed Ayeni, and I am a doctoral student at Brandman University who is conducting a study on perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime in Colorado and how police officers perceive the legalization of cannabis has affected policing, police tactics and responses to crimes. I spent two years in Broomfield, Colorado studying and observing the cannabis industry.

I recently was granted permission by the Office of the Chief of Police (see attached) to conduct my interview, and I am reaching out to you for assistance in identifying officers that will be willing to participate. The criteria are that they have to be currently employed by the Denver police department and have been on the force for a minimum of five years. Participation is voluntary, and confidentiality will be protected. The interviews tentatively scheduled for one hour would be individually given on days and times that are convenient to their work schedules and in a location convenient to the participant. Should they meet the criteria and decide to participate or have questions, they can contact me Zed Ayeni, MBA, by phone/text at (949) 943-9873 or via email @ Ayen9201@mail.brandman.edu. Questions can also be directed to my committee chair Dr. Tamerin Capellino at capellin@brandman.edu.

Thank you

Zed Ayeni
APPENDIX K

Request for Identification of Participants from

Larimer County Sheriff HR Department

Larimer County Sheriff
Attn: HR

My name is Zed Ayeni, and I am a doctoral student at Brandman University who is conducting a study on perceptions of Police Officers on the Legalization of Recreational Cannabis and Crime in Colorado and how police officers perceive the legalization of cannabis has affected policing, police tactics and responses to crimes. I spent two years in Broomfield, Colorado studying and observing the cannabis industry.

I recently was granted permission by the Larimer County Sheriff Justin Smith (see attached) to conduct my interview, and I am reaching out to you for assistance in identifying officers that will be willing to participate. The criteria are that they have to be currently employed by the Sheriff’s department and have been on the force for a minimum of five years. Participation is totally voluntary, and confidentiality will be protected. The interviews tentatively scheduled for one hour would be individually given on days and times that are convenient to their work schedules and in a location convenient to the participant. Should they meet the criteria and decide to participate or have questions, they can contact me Zed Ayeni, MBA, by phone/text at (949) 943-9873 or via email @ Ayen9201@mail.brandman.edu. Questions can also be directed to my committee chair Dr. Tamerin Capellino at capellin@brandman.edu.

Thank you

Zed Ayeni
Hello, my name is Zed Ayeni, and I want to thank you for participating in this survey. The purpose of this study is to discover the attitudes and perceptions of police and sheriff officers on the legalization of recreational cannabis and crime and how legalization has affected the way you police, affected the tactics used in carrying out your duties and responses to crime. The interview is scheduled for 60 minutes, and more time can be added if needed.

Your participation is totally voluntary, and your confidentiality will be protected. The interview will be recorded, thus you will be provided with Informed Consent and Audio Recording Release Form (Appendix D), the Audio Release Form (Appendix E) for your signatures, and the Participants Bill of Rights.

Do you have any questions at this time before we proceed?

Again, thank you for your participation.

Zed Ayeni
March 11, 2020

To Whom It May Concern

Today, I met with Zed Ayeni, a doctoral student at Brandman University, regarding a study he is conducting on perceptions of police and sheriff officers on the legalization of recreational cannabis and crime in Colorado. Larimer County Sheriff's Office Captain Joe Shellhammer was also present for the interview.

I have given Mr. Ayeni authorization to interview other officers with our agency regarding his research.

Respectfully,

Justin Smith
Sheriff
APPENDIX N

National Institutes of Health (NIH) – Protecting Human Research Participants

Certificate of Completion

The National Institutes of Health (NIH) Office of Extramural Research certifies that Zed Ayeni successfully completed the NIH Web-based training course "Protecting Human Research Participants."

Date of Completion: 05/21/2018

Certification Number: 2824736

National Institutes of Health
Office of Extramural Research
APPENDIX O

Brandman University’s Institutional Review Board Approval

BUIRB Application Approved: Izedomi Ayeni
1 message

Institutional Review Board <my@brandman.edu>
Reply-To: webmaster@brandman.edu
To: ayen9201@mail.brandman.edu
Cc: ddevore@brandman.edu, capellin@brandman.edu

Mon, Feb 24, 2020 at 3:41 PM

Dear Izedomi Ayeni,

Congratulations! Your IRB application to conduct research has been approved by the Brandman University Institutional Review Board. Please keep this email for your records, as it will need to be included in your research appendix.

If you need to modify your BUIRB application for any reason, please fill out the "Application Modification Form" before proceeding with your research. The Modification form can be found at IRB.Brandman.edu

Best wishes for a successful completion of your study.

Thank You,

BUIRB
Academic Affairs
Brandman University
16355 Laguna Canyon Road
Irvine, CA 92618
buirb@brandman.edu
www.brandman.edu
A Member of the Chapman University System

This email is an automated notification. If you have questions please email us at buirb@brandman.edu.
<table>
<thead>
<tr>
<th>Synthesis Matrix</th>
<th>History of Cannabis</th>
<th>Mexican Revolution</th>
<th>Marijuana is Illegal in the United States</th>
<th>Act of 1962</th>
<th>Narcotics Control</th>
<th>Recreational Use of Marijuana</th>
<th>Federal Court Cases</th>
<th>Gonzales v. Raich</th>
<th>Cash Flow from Marijuana</th>
<th>Banking laws</th>
<th>Medical marijuana</th>
<th>Medical marijuana and Police</th>
<th>Cash flow from marijuana</th>
<th>Crime rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abel, (1980)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adams, (2016)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anderson &amp; Reese, (2014)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anslinger &amp; Cooper, (1937)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arnolds &amp; Garland, (1974)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barcott, (2014)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Berke, (2018)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Berning, Compton &amp; Wochinger, (2015)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bibel, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bly, (2012)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bondiallas et al., (2016)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Breathes, (2012)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridgeman &amp; Abazia, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Budman, (1977)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bull et al., (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burnett &amp; Reiman, (2014)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Campbell &amp; Johnson, (1997)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carlan &amp; Lewis, (2009)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cerdá et al., (2012)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chua, (2014)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Source</td>
<td>2019</td>
<td>2011</td>
<td>2006</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------</td>
<td>------</td>
<td>------</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Denver</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clark, Capuzzi &amp; Fick</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coleman, (2006)</td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado.Gov, (n.d.)</td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado Bureau of Investigation, (2016)</td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado Bureau of Investigation, Department of Public Safety, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado Department of Revenue, Marijuana sales reports, (2019)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado Division of Criminal Justice, Colorado Department of Public Safety, (2018)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado General Assembly, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Congressional Research Service. Library of Congress, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Considine, G (2005)</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constitution Daily, (2012)</td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooper H. (2015)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crandall, R. (2013)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Davis, et al. (2016)</td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deitch, R. (2003)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denver Police Department, (2018)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dillow, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dohr, (2012)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dokougl, &amp; Briggs, (2014)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drug Enforcement Administration (DEA), (n.d.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunham, &amp; Alpert, (2015)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eason, (2017)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emmett, &amp; Nice, (2008)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Felix, (2018)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fiedler, et al., (2015)</td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gabay, (2013)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gaines, &amp; Kappeler, (2014)</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gerhardt, (n.d.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ghosh, et al., (2016)</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glasscock, (2011)</td>
<td></td>
<td>x</td>
<td></td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

196
<table>
<thead>
<tr>
<th>Author(s) and Year</th>
<th>Year</th>
<th>Month</th>
<th>Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government of Netherlands</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gray &amp; Thompson</td>
<td>1933</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Green et al.</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hartig &amp; Geiger</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heilpern &amp; Rayner</td>
<td>1997</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hickenlooper</td>
<td>2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hill</td>
<td>2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoofnagle K. K.</td>
<td>2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hopfer</td>
<td>2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hughes, Schaible &amp; Jimmerson</td>
<td>2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ingram</td>
<td>2016</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ingold</td>
<td>2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IRS.GOV.</td>
<td>2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jamestown Rediscovery</td>
<td>2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jorgensen</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kavanagh &amp; Williams</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Larimer.Org</td>
<td>2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lee</td>
<td>2013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leedy &amp; Ormrod</td>
<td>2001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leung</td>
<td>2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library of Congress (nd)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linden</td>
<td>2015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lombard, Snyder-Duch &amp; Bracken</td>
<td>2002</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lopez</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lopez</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lucia</td>
<td>2016</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lutz</td>
<td>1998</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maier, Mannes &amp; Koppenhofer</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maisto, Galizio &amp; Connors</td>
<td>2014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maron</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maxwell &amp; Mendelson</td>
<td>2016</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reference</td>
<td>Year</td>
<td>Reference</td>
<td>Year</td>
</tr>
<tr>
<td>-----------</td>
<td>------</td>
<td>-----------</td>
<td>------</td>
</tr>
<tr>
<td>McLean, &amp; Weisfeldt</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Mejia</td>
<td>2016</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Mézey</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Miller</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Mitchell</td>
<td>2017</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Moeller, et al.</td>
<td>2017</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Monte, Zane, &amp; Heard</td>
<td>2015</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Moore, &amp; Kleiman</td>
<td>1989</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Morris, et al.</td>
<td>2014</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Morse, J. M.</td>
<td>2015</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Murphy, et al.</td>
<td>2014</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>National Academies of Sciences, Engineering, and Medicine</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>National Conference of State Legislatures</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>National Police Foundation</td>
<td>2015</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>New York State Association of Chiefs of Police</td>
<td>2019</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>NIDA</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Office of Drug Control Policy</td>
<td>2000</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Olof, et al.</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Ooyen-Houben</td>
<td>2017</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pan, M. L.</td>
<td>2017</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Page</td>
<td>2007</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Page</td>
<td>2008</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Patton</td>
<td>2015</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pedersen, &amp; Skarholdar</td>
<td>2010</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pelegrin, &amp; Carr</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Petrocelli, et al.</td>
<td>2014</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pew Research Center</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pezalla, et al.</td>
<td>2012</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pizzo</td>
<td>2018</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pramuk</td>
<td>2013</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Poteveva, &amp; Sun</td>
<td>2009</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>ProCon.org</td>
<td>2017</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Pyke</td>
<td>2016</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>Reaves, (2011)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roberts, C. M. (2010)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rocky Mountain High Intensity Drug</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trafficking Area. (2016)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rosenbaum, (2005)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roth, (2017)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roy, (2016)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sabet, (2014)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schuetze, (2018)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scully, (2017)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidney et al., (1997)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small, &amp; Marcus, (2002)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shi, (2017)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stack, &amp; Suddath, (2009)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stewart, (2018)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sutton, (2014)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sutton, &amp; Austin, (2015)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swenson, (2015)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennenbaum, (1994)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas, (2010)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US v Randall, (n.d)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Congress. (1914)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Congress. (1956)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Constitution (n.d), The</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tenth Amendment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Department of Commerce.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Department of Justice.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Symbol</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia Prohibition Commission. Records, (1916-1934)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walker, (1993)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wallace, (2018)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weisburd et al., (2000)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Westchester County Chiefs of Police Association, (2019)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilson, (2018)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilson, (1968)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilkinson, et al., (2016)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>White, (2009)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yu, (2005)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zapotosky, Horwitz, &amp; Achenbach, (2018)</td>
<td>x</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>