

Office	Criminal prosecutions involving CO marijuana	CINC cases involving CO marijuana	Asset forfeiture cases related to CO marijuana	Edibles from CO	Please elaborate	Defense arguments based on Colorado's laws	Change in how judges treat marijuana cases?	Please elaborate	How do you know the marijuana was from Colorado?	Overall effects	Any other information		
Anderson County Attorney's Office	~3	0	0	yes	I am not completely sure on what exactly was found, but some juveniles and young adults (late teens and/or early 20s) were caught smoking pot at the lake and were found to be in possession of edibles that they purchased in CO.		0	no	We were either told the marijuana was purchased in CO from dispensaries or we found receipts showing the same.	Makes a lot of the public feel that is 'not a big deal' to possess or use the drug.			
Atchison County Attorney		0	0	no			0	no		No effect	None		
Barber County Attorney		0	0	no			5	yes		Negligible.	The designation of a first offense marijuana as a Class A misdemeanor coupled with the availability and ease of receiving diversion on such a charge around the State, separates and distinguishes marijuana from other illicit drugs more than Colorado's legalization.		
Bourbon County Attorney's Office	About 5 cases (1 large seizure, several smaller ones) since March 2015.	no	yes - one for sure	yes	There have been a variety of products, including hot wing sauce.		0	maybe	Recently a judge refused to send a defendant to KDOC, mentioning the case involved personal use amounts. Hard to say whether that was tied to Colorado marijuana legalization.	The packaging lists the store, telephone number, and other information. The packaging for the edibles listed the grams of THC.	It's caused a lot of conversation in the office about how to deal with marijuana offenses.		
Brown County Attorney's Office		0	0	no			0	no	NA	Little to no effect	NA		
Butler County Attorney's Office	My best estimate is four or five criminal cases a year that we are aware of involve Colorado marijuana. However, this is not something we have been tracking.	I am not aware of any child in need of care cases involving Colorado marijuana but we do not specifically track this.	I am not aware of any asset forfeiture cases involving this issue.	yes	Butler County occasionally has individuals that are stopped by law enforcement while driving through our county with marijuana from Colorado. Additionally, there have been a few cases where items have been seized from houses by law enforcement agents in the county that appear to be commercially packaged marijuana edibles, oils, etc. from Colorado.	To my knowledge there have not been cases where this issue has been raised as a defense. However, occasionally this point is occasionally made in attempt to mitigate penalties.	no		In the specific cases I referenced in my answers the facts clearly indicated that the individuals involved were returning from Colorado and did not have ties to the local community. Additionally, other items found look to have been packaged and sold as marijuana in Colorado.	There have been a few cases in the county that can be specifically tied to Colorado marijuana, but there has been an increase in sentencing mitigation arguments based on 'legalization' in Colorado.			
Chase County Attorney		0 none	none	no		none		no		No effect			
Cherokee County Attorney		2	0	1	no		2	no	Defendants admissions	Prospective jurors in voir dire have provided responses indicating a social acceptance to medicinal and recreational use of marijuana. This provides some indication of the effect in our jurisdiction of Colorado's legalization.			
Cheyenne County Attorney	unable to determine Colorado origin												
Clark County Attorney's Office		0	0	0	no		0	no	We have not seen anything or been given any indication that any of our marijuana cases involve Colorado marijuana. In addition to our local users, we have seen multiple cases involving defendants from Minnesota who have possessed rather large amounts of marijuana. We also get quite a few from the southwestern states (New Mexico, Arizona, California).	Minimal.	Our local deputies and sheriff tell me they stop at least 5 cars a day with personal-use marijuana inside and absolutely refuse to issue a citation or report for it. They simply confiscate it and send them on their way. I cannot prosecute cases they don't give me, and I cannot report cases here that I do not have firm information about. In short, believe the SOs would have better information on how many of those stops involved Colorado marijuana.		
Cloud County Attorney		2	0	0	no		0	no		minimal	Always not sure if MJ is from CO or not.		

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Coffey County Attorney's Office	approximately 20	zero	zero	no		zero	no		Defendants will often tell law enforcement that they purchased the marijuana in Colorado.	I took office in November 2014; as a result, without extensive review of old case files, I am unsure of the number and nature of marijuana cases in Coffey County before Colorado legalized marijuana in 2012. Consequently, it is difficult to provide a 'before and after' type analysis and give an opinion on how Coffey County has been affected by Colorado's legalization. My staff has worked in the office for many years and their impression is that the number of marijuana cases has remained consistent in recent years despite Colorado's legalization.			
Comanche County Attorney		0	0	0	no	no	no				We have had an incident with medical marijuana from California in a traffic stop.		
Cowley County Attorney Office	2-4		0	0	no		0	no	Defendant bought the marijuana in Colorado.	Minimal impact so far.	Minimal impact in our jurisdiction.		
Decatur County Attorney	none	none	none	no		none	no		NA	NA	I am sure we've probably had some come through the county, but I can't quantify it.		
Dickinson County Attorney's Office		20	1 2 (not handled by this office)	yes	brownies and other edibles	no	no	Most, if not all, of the individuals arrested have been non-residents of Kansas and not eligible for mandatory drug treatment	information obtained during the stops or subsequent statements from the defendants or others involved	We have more drug cases involving marijuana but most involve individuals who have purchased the drug in Colorado and are transporting it for their personal use. Only a few of the cases involve individuals transporting several pounds for distribution.			
Douglas County District Attorney	10 to 15 cases (purely an estimate)	2 to 3 (same)	unknown	yes	Just recently, we are starting to see more edibles. However, we have yet to charge any edibles as they have not been submitted to us for charging consideration.	There have not been any official motions or arguments before the Court using the legalization of marijuana in other states as a defense. However, for every case charged involving marijuana, 90% of the defense attorneys use the legalization argument as means to avoid a harsher penalty when working out a plea agreement with our office.		Nothing specific to Colorado. Marijuana as a lesser drug was argued.	Most of the information regarding whether or not the marijuana came from Colorado was provided to us by our DEU officers. This would have been known to them when they questioned the defendant or from packaging found at the scene.	Because of its close proximity to Kansas, Colorado has been and continues to be a primary source of marijuana in our jurisdiction. I do not believe legalization has had any significant impact on the prevalence of marijuana in our jurisdiction.			
Edwards County Attorney		2	0	0	no		0	no	packaging	very minimal to non-existent			
Elk County Attorney		0	0	0	no		0	no		unaffected			
Ellis County Attorney	Approximately 10 to 15 prosecutions per year	CINC cases often involve the issue of illegal drugs. Any connection between the marijuana used by the parents and determining it came from Colorado would just be a guess.	Ellis County contracts with Colin Wood to do asset forfeiture. Any information concerning asset forfeiture would just be a guess.	yes	I am aware that some of the personal use marijuana has included edibles from Colorado. However, the drug unit advises me that marijuana bags and/or vials stamped from Colorado are much more prevalent than food additives or edibles.	The erosion of marijuana sentencing has been occurring long before Colorado legalized certain marijuana. When I started prosecution in 1989, the standard sentence was 30 days -- which the defendant served -- for possession of marijuana. Through the years it was decreased to 10 days, to 5 days, to 48 hours, to 1 day, to probation, to diversion. This was not a result of the Colorado law, but simply the response to county jail overcrowding, due in greater part to the mandatory DUI sentencing laws rather than Colorado marijuana. It is apparent that the public tolerance of marijuana has drastically changed over the past 25 years that has been reflected by judges' sentencings.	no	Judges often make comments regarding the legalization of marijuana in Colorado at time of sentencing on Senate Bill 123 (felony marijuana) and/or small quantity distribution convictions, advising the defendant if they want to continue with marijuana they should explore Colorado after completing their sentence. However, I have not noticed a change in how judges treat marijuana under the Kansas Sentencing Guidelines based on Colorado. There has been a tremendous change over the years regarding misdemeanor marijuana.	Officers are able to determine if it is Colorado marijuana when it is packaged with a Colorado sticker on it, or in a container indicating it is from Colorado. Have not seen a noticeable increase in quantity marijuana (felony possession with intent to distribute) due to Colorado law. Due to the price of marijuana in Colorado, I don't believe people are buying the Colorado marijuana in bulk to try to redistribute it in Kansas. However, we do have personal use individuals who advise they are trying to take some small quantity marijuana back to a friend or person back home.	Overall, I think the fear of the effects of Colorado legalization on Kansas have outstripped the actual impact in our jurisdiction. I have no way of knowing if those individuals caught with personal use marijuana with Colorado markings would have obtained marijuana locally, but I suspect that a majority of them would have. One positive thing I have observed is that a significant number of probationers and/or post-release supervision defendants, upon completing their sentences/probation/post-release are requesting a transfer to Colorado and/or moving to Colorado to take advantage of the legalized marijuana. This could have a dramatic effect on Colorado in the future and their ability to provide services to those immigrating into Colorado due to the marijuana. The direct impact on Ellis County has been negligible.			

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Ellsworth County Attorney	60+	none	none	yes	I have seen a handful of cases involving food products. Typically these items are found in their original, retail packaging, having been purchased in the Denver metropolitan area. I have been charging as misdemeanor possession because I am not sure how much marijuana/THC by weight is found in the food item and I have no evidence to lead me to believe the food item was intended for consumption by anyone other than the immediate possessor	A legal defense to the possession of Colorado marijuana was raised in Ellsworth County District Court Case 2011-CR-22, State vs. Troy Cooper. This involved medical marijuana and the Kansas Court of Appeals ruled, in an unpublished decision, that possession of Colorado medical marijuana was still a crime under Kansas law. Other than Cooper, I am unaware of any other legal defenses that have been raised.		The judges who hear Colorado marijuana cases in Ellsworth County agree with the prosecutor that incarceration of Colorado marijuana importers is counter-productive. We need our very limited jail space and male prison space to house violent offenders, sex criminals, meth head thieves and burglars, and sellers of opioid pills and Mexican brown heroin. I have already opined as to the overcrowding at the Ellsworth County Jail. I am quite familiar with KDOC stats and DOC operations (having a 1000 plus bed prison in my backyard). The Secretary of Corrections is very optimistic when he says he is at 108% capacity, in the male side. Short of the Kansas legislature providing funding for the construction of a minimum security, drug-treatment focus prison, it does not serve the citizens of Ellsworth County, or the State of Kansas, well to incarcerate these Colorado marijuana importers.	It is very easy to identify marijuana as "Colorado marijuana." This is because 95% plus is taken into evidence in the original, retail packaging. Indeed, the only nonColorado marijuana we see is really not even marijuana; rather, it is the synthetic marijuana commonly referred to as "K-2". I have a notebook in my office where I have collected over 60 plus synthetic marijuana recipes, courtesy of the KBI Lab.	The effect of Colorado marijuana legalization has spurred the Kansas Highway Patrol to make a significant increase in drug interdiction stops on I70 in Ellsworth County. The on-going joke is that the Highway Patrol only stops every third car, eastbound. Not every car stop yields marijuana. Other drugs are often found (predominantly meth) and a significant number of person stopped are driving on suspended licenses, or wanted in toehr jurisdictions. Typically, KHP arrest between 7 and 15 persons per week of I70 in Ellsworth County. Of course, all of these people find their way to the already overcrowded Ellsworth County Jail.	I think the Attorney General's Office might consider a K.S.A. 21-2504(a) request concerning methamphetamine in rural Kansas. I have been in law enforcement in Kansas for over 34 years and I think the meth problem is worse now than it even has been. I base this on the number of meth arrests I have seen last year and the number of meth cases I have successfully prosecuted. Also, the number of child in need of care cases that have a meth component.
Ford County Attorney	In 2014 and 2015 in Ford County we approximately had 254 cases prosecuted. Of those cases it is believed that 90% involve marijuana from Colorado. That would be a total of 228 cases in 2014 and 2015 total involving marijuana from Colorado.	In regards to CINC cases there have been very few. Our approximation is 1-2 cases at the most that involved specific CINC related issues to Colorado marijuana. Most of our CINC cases involve methampheta mine more so than marijuana.	Our office has not personally handled any forfeiture cases involving marijuana from Colorado but do believe ABC has handled approximately 6 from our district.	yes	In the last two years we have seen several different forms of edibles, food additives and other ingestible products. These include sour gummy candies, suckers, chocolate chip cookies, candy bars, brownies, and taffy candy. We have also seen oil, wax, and shatter marijuana found. These are usually found with younger aged individuals traveling from Colorado. We have also found these in a larger drug seizure case along with defendants alleging the use of them at a bond hearing to explain why they have tested positive for marijuana while out on bond.	Our county has not seen any prosecutions that have involved the defendant raising a defense or an argument for a lesser penalty based on Colorado's laws regarding marijuana possession.	no	We have not seen the judges in our district treat the prosecution of marijuana differently. We have, however, heard judges tell the defendant that if they wish to smoke marijuana they should move to Colorado where it is legal.	After having a very lengthy discussion with our local law enforcement investigators, they have several reasons to believe this percentage is correct. The type, quality, and packaging of today's marijuana is much different than it was 5 years ago. It is no longer found in bricks which would be transported from Mexico or other sources. It is much easier to get from Colorado than it is to have it transported over the longer distance and the risk is less. It is found to be better quality and less referred to as ditch weed but more as "kush" which was once only used to refer to high grade marijuana from Canada or from other states where medical marijuana was legal. In many circumstances, paperwork or wrappers have been found to verify that it was from a dispensary in Colorado.	We believe the legalization of marijuana has increased the number of marijuana cases we prosecute. The availability of marijuana is much easier than it once was along with the edibles. These items have not been a staple in our community until recently where younger generations are using them more and more.	
Geary County Attorney	I have personally prosecuted 863 drugs cases within that time period and another 100-150 civil forfeiture cases. Unfortunately, we are unable to ascertain, or begin to guess, of the number of cases that specifically involve marijuana from Colorado.										
Graham County Attorney		0									
Grant County Attorney		20	0 - There have been a handful of cases where cash was found with oils and/or a small amount of marijuana but not enough to warrant an asset forfeiture.	Yes	several cases involving marijuana in the form of edibles, suckers, and oils/waxes. These types of cases are in the minority and just recently have we seen the oil/waxes appear as a form of marijuana	No		Our judicial system (district court) seems to limit revocations of probation and/or prison/jail time when marijuana is the drug involved, unless it relates to the actual sale/distribution of the drug. These cases in front of the magistrate have not changed in punishment/penalty.	I believe the marijuana was involved based on either the defendant admitting to coming from Colorado, and in the police interview trying to argue that its legal there, or based on the strong smell, the quality and the price it is selling for (usually smaller amounts for a higher price).	The overall effect of Colorado legalizing marijuana has not had a great impact as far as an increase in marijuana cases. However, the amount of mathamphetamine has increased dramatically and has become more of a problem, especially in the younger, school aged kids, due to the availability and the affordability of meth versus the more expensive marijuana. Additionally, the meth gives the user a faster high without staying in the system as long as marijuana does, making it more appealing to those already on probation or parole.	

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Hamilton County Attorney	5	0	0	no		None, in the form of a legal argument, though certainly this argument has been raised in negotiations, however this is nothing new.	no		Any information provided is based on defendants' statements, their counsels' statements or other reliable indicators.	Since, I serve in Hamilton County, which borders Colorado, I expected a significant increase in marijuana cases as a result of legalization in Colorado. Surprisingly, this is not the case. I do not believe that Colorado legalizing marijuana has impacted my county in any meaningful way.	In closing, I would state that from my point of view as a prosecutor the effect of Colorado legalizing marijuana has been negligible in Hamilton County.
Harper County Attorney	3	0	0	no			5	no	The only basis I have are the hearsay statements of the accused or other witnesses	Many people think that legalization in Kansas will be inevitable given that Colorado and other surrounding States are legalizing it. They seem to be more bold about their opinions that it should be legal.	none
Haskell County Attorney	The total number of marijuana possession cases processed through Haskell County Jail since 01/01/2014 is twenty-six. This includes any KHP arrests within our county. Two additional KHP cases in 2015 did not result in arrest: one was filed after the fact and issued summons; the other was declined. Of these twenty-eight cases, law enforcement believes that all but two were in possession of Colorado marijuana; however, the source is only known factually in approximately ten cases, due either to arrestee statements or package labeling upon evidence collection.	0. This figure is out of four CINC cases filed in 2014, and five filed in 2015.	1- In this case, the three Louisiana residents were stopped in our county with a large sum of cash, admittedly on their way to Colorado to purchase quantities of marijuana. The marijuana had not yet been purchased.	yes	One case involved beeswax-type product, professionally packaged in individual containers. (We would note that the manner of packaging presented significant challenges when attempting to weigh for quantity. Current drug laws did not appear to account for the increasing variety in construct and potency.) In the KHP case declined with no arrest, several varieties of ingestible Colorado marijuana items were seized, including THC mints; oils; capsules; candy bars; cookies; and THC-infused beverages. In one KHP case, an arrestee used an "apple bong" to smoke traditional-form marijuana, and nearly successfully disposed of the apple as highway litter. The apple was discovered post-arrest, with the Trooper having seen litter ejected from the vehicle.	No criminal prosecutions have involved the Defendant raising Colorado's marijuana laws as a defense in a hearing; however, the argument has been raised multiple times during plea negotiations and diversion requests.	no	No perceptible change has occurred within this jurisdiction in how judges treat the prosecution of marijuana possession based on Colorado's marijuana laws. Penalties have remained consistent, to the best of our recollection and attention.	Our close proximity to the Colorado state line, and our position on common crossroads, as well as multiple admissions by Defendants regarding the source of their marijuana and THC edibles, lead local law enforcement to believe the vast majority of marijuana items are sourced from Colorado. We would also note that a large marijuana-growing operation was found just outside our jurisdiction in the neighboring county, with product confiscated on its way to Colorado for retail distribution. (This is the only known case of quantities of marijuana "passing through" our county in the other direction.)	Colorado marijuana "legalization" has had little impact in our jurisdiction. It is possible that law enforcement has seen more willingness in arrestees to pinpoint their sources, having often purchased it "legally" in Colorado.	Our Sheriff's Department believes, anecdotally, that near one hundred per cent of our marijuana arrests originate from Colorado product at this time. My own estimation would be closer to fifty per cent. I would note that a majority of our arrests or summons for marijuana in 2014 and 2015 occurred during traffic stops, and the majority were not county residents. Of those occurring during traffic stops, a very small handful were under the influence of marijuana at the time of the traffic stop, with only one in memory being exclusively under the influence of marijuana to the extent he was unable to safely drive.
Hodgeman County Attorney	2	0	0	no			0	no	The client said so.	No effect	
Jackson County Attorney	best estimate 10	best estimate 3	best estimate 5	yes	We have had several cases where people have possessed 'Colorado marijuana' for personal use and several that were transporting/selling.	Two defendants have asserted that they failed drug tests because they went to Colorado and used there.	yes	Judges tend to be much more lenient with marijuana possession and distribution cases than other drugs, citing Colorado's law. Also, they will encourage a user to 'move to Colorado' if they want to continue to use/possess marijuana.	About half of defendants have admitted that is where it came from. The other half was believed to be Colorado marijuana due to the labeling and quality.	The biggest effect has been the treatment (minimization) of the crime of possession and distribution by the judges.	None.
Jewell County Attorney	None	None	None	no		None	no		N/A	To date, no issue of Colorado marijuana legalization has been raised in this jurisdiction.	None
Johnson County District Attorney	We do not track this data. Our office has prosecuted numerous cases where Colorado marijuana has been seized. A safe estimate would be dozens of cases each year. This has increased significantly over the last couple of years.	We are aware of only one case, however we do not track this data.	We do not track this data. We do not handle all forfeiture proceedings.	yes	We have seen an increase in edibles, which have typically been used by adults. We have had one case where edibles were provided to a minor.	A good portion of defendants cite Colorado's legalization efforts as a reason for leniency.	yes	We have seen a willingness of District Court judges to grant probation on border box cases.	The cases associated with "Colorado" marijuana are based on statements made by defendants, the packaging or labeling on the marijuana, or other evidence.	It has become a cheap location to purchase marijuana for both personal use or for distribution. We have definitely seen an increase in edibles, which has led to overdoses.	I believe we need to partner with law enforcement and the medical community to educate the public about the dangers of marijuana, including the edibles that are being sold.
Kingman County Attorney	2	0	0	no			0	no	I believe that there are two cases of possession of marijuana where the individual purchased the marijuana in Colorado, but I am not positive.	No substantial effect.	

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Kiowa County Attorney's Office	17	0	1	no		most of them	yes	Judges have watered down the standards on whether someone goes to prison for dealing marijuana. Cases that used to be amounts obvious for distribution are no longer obvious, because the defendant gets to argue that they went to the 'Sam's Club' of marijuana in Colorado and were just buying in bulk. Several defendants who we have apprehended are Colorado residents actually bringing the drugs into KS to make quick money. Those defendants almost always want to argue about probation conditions that they have a 'right' to smoke marijuana in their home state (ignoring that probation conditions often involve abstention from alcohol, also a legal substance).	The defendants are either telling us themselves that they bought it at a shop in Colorado, or it is actually professionally labeled and branded when we discover it.	Highway 54/400 is a major artery from Colorado to Wichita and I believe that is why we have several of these cases in an otherwise small jurisdiction. It used to be that law enforcement might be able to target several area marijuana dealers and the supply would be cut off or at least tightened for a while. With the Colorado marijuana, this is no longer possible. Law enforcement is really not even bothering to target marijuana anymore because of the watering down of penalties and the continuous supply from Colorado. Hitting a dealer here now is simply ineffective in stemming the tidal wave of supply from Colorado.	There is definitely a money making enterprise going on in transporting freely available Colorado marijuana to neighboring states. This involves Colorado residents, as well as enterprising KS residents. I wish your office luck in trying to do something about this.			
Labette County Attorney	0	0	0	yes	We had a controlled buy and our confidential informant went to an apartment looking for a specific person. The person was not there, but the "CI" had a conversation regarding "Colorado marijuana." The "CI" said there were a number of "Colorado marijuana" items in the apartment.		0	yes	There has been nothing specific in terms of lower sentences, however, our Judges have made comments regarding the "Colorado marijuana" laws; or how long it might be before Kansas does the same thing.	The people in question made specific statements regarding "Colorado marijuana."	I believe that "Colorado marijuana" has had a chilling effect on the desire of the community to convict and punish marijuana violations. I have had a number of potential jurors during voir dire opine their belief that marijuana should be legal, oddly enough these statements were made in non-marijuana cases.	In reference to answer #8, these people are respectable members of society. They are not members of what might be considered a legalize pot movement.		
Leavenworth County Attorney's Office	About 16	3 or 4	None	yes	Our office has encountered less than ten cases involving edibles (usually chocolates infused with THC), but a Colorado connection may exist in perhaps only one or two of those cases.	Perhaps only 1 or 2.	yes	Judge Gunnar Sundby routinely makes statements on the record during cases involving Marijuana that nationwide attitudes toward legalization of Marijuana (specifically mentioning Colorado and sometimes Washington) has shifted and he believes the public no longer supports 'harsh' criminal penalties for Marijuana. Judge Sundby routinely uses this rationale as the basis for sentence mitigation and downward departure in Marijuana cases, going so far as to do so sua sponte. Our office appealed one such case, State v. Derek Fevurly, Court #11CR541, Appeal #13-110254-A, wherein Judge Sundby referred to the evolving societal attitudes toward the type of offense (Marijuana possession) as one of the reasons for his departure. While the district court case was pending Fevurly absconded to Colorado where he hid for a year before being arrested and extradited back to Kansas.	The kind of evidence we have encountered that shows a connection to Colorado includes, for example: a. Colorado rental vehicles driven by persons who flew to Colorado and then rented a vehicle to transport the Marijuana home; b. Colorado medical Marijuana paperwork on or near the Marijuana; or c. Statements that the Marijuana was obtained in Colorado. We apologize that we are unable to provide specific cases; finding these specific cases would require our staff to manually review the files of all Marijuana-related cases since 2014, which is impracticable with our current resources.	Prosecutors in my office have reported to me that they have experienced a substantial decline in our jurors' willingness to convict for Marijuana-related offenses since January 1, 2014. It is now very common for jurors to either acquit or to convict of lesser-included Marijuana offenses even when the evidence is strong or overwhelming. These attitudes appear to be shared across the entire spectrum of race and age. Older jurors commonly explain that they oppose Marijuana prosecutions because they have friends or family members who use Marijuana to alleviate medical ailments as a cheap substitute for expensive pharmaceutical drugs. Younger jurors commonly explain that they view Marijuana as equivalent to or even less serious than tobacco or alcohol, and they oppose the use of tax funds to prosecute marijuana cases. The vast majority of jurors have expressed their support of legalization of Marijuana for medical purposes only, with heavy taxation used to support education and other public services. There appears to be less support for recreational use. These statements arise during voir dire, so transcripts could possibly be obtained.	My office will continue to uphold the laws of Kansas regardless of changing societal or judicial attitudes.			

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Lincoln County Attorney	23	0	0 - Kansas Highway Patrol always takes them	no			0	yes	As the 'legality' of the Colorado laws is a complicating factor in the overall sentencing by the courts. We have seen fines and unsupervised probation as our jurisdiction is unable to appropriately supervise these matter.	The majority of the cases in our jurisdiction deals with marijuana from Colorado and we have not been able to discern other sources.	It is extremely problematic on our jurisdiction. One, there has been increase in cases. Two, the difference between personal use (ie, buy a lot so you don't have to go back) and actual distribution has been blurred. Third, we don't have the resources to deal with it and because of the large amounts of cases the stops have been pushed into the smaller counties that 'deal out' the defendants and move the case along. Lincoln County is one of the those counties. Lastly, the limited resources that we have are being designated to our 'hometown' drug defendants and should not be squandered on those defendants from interstate. KBI is overwhelmed with testing and we usually deal out the defendant and cancel testing due to the timing issues.			
Linn County Attorney's Office	0	0		no			0	no		N/A	It appears that it has had no effect as we are remote from Colorado.			
Lyon County Attorney's Office	15	0		no			1	no	statements from defendant's driving to colorado to get it, statement from defendant regarding medical prescription for marijuana from colorado	KBI indicates it is getting harder to identify colorado, characteristics are changing, people driving further distances to get it 'legally'.	Its here more than we find I am sure. we haven't discovered any through mailing yet.			
Marion County Attorney											I have not seen any changes in my jurisdiction based upon the change.			
Marshall County Attorney	1			yes	THC gummy bears							We did have two respectable-appearing women in their mid-50's driving from Colorado to Indiana. One had a prescription for medical marijuana. They were found with marijuana and items such as THC gummy bears. They were not driving erratically; rather, the driver was stopped for failing to use a turn signal. These ladies were immediately nervous, forthcoming, cooperative, and very apologetic. No large sums of money were found. Neither had a criminal record. They were charged with misdemeanor marijuana and the marijuana was seized. That has been my limited experience with Colorado marijuana to date.		
McPherson County Attorney	approximately 35 (139 marijuana cases total, estimate 25% from CO)	0		yes	"laffy taffy," vapors, cookies and suckers. Cookies seem to be more common than other edibles.	None		no	We have reports from officers that the Colorado weed has a certain distinguishable smell. Certain packaging for marijuana and edibles has labeling indicating it was purchased in Colorado.		Our prosecution numbers increased from 2014 to 2015, but it is difficult to determine correlation to the change in law.			
Meade County Attorney	21	2		yes	We have had at least two cases where there were 'marijuana brownies' that were found on a traffic stop. Defendants admitted that they had purchased them in Colorado. Also had the mother involved in the two Child In Need of Care Cases admitted to bringing marijuana additives back to use from Colorado.		10	no	In all the cases that I am referencing, either the Defendants admitted that they had obtained the marijuana-in whatever form- in Colorado or they were traveling from Colorado with documented proof at the time they were stopped in Meade County leading us to assume the point of origin of the drugs.	We have seen an increase in the number of cases involving smaller quantities of marijuana or products containing marijuana, including a substance referred to as 'ear wax' or marijuana wax or butter; THC infused hash; and THC infused 'Blue Kudu Chocolate'.	Since our county has Highway 54 as well as Highway 160 which are both often used for travelers to and from Colorado, we have always had several traffic stops which lead to criminal cases involving drugs. However, it has been more apparent that the use and possession of marijuana has increased in amounts more consistent with personal usage since Colorado has legalized. Also, Defendants are much more forth-coming with information about where they obtained the THC as they think that since they purchased it legally in CO, they will not face punishment here.			
Miami County Attorney	1	0		yes	To my knowledge we have only had one case involving clearly identifiable THC from Colorado. It consisted of edibles and liquid.		0	no	The labeling indicated the range of mg of THC and that the THC was distributed from Colorado.		No change at this point.			

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Morris County Attorney	0	0	0	no			0	no		We have not seen a difference in the cases that have been filed in Morris County	
Morton County Attorney	0	0	0	no			0	no		To date, have seen no issues with Colorado Marijuana in my jurisdiction.	
Neosho County Attorney	0	0	0				0				
Ness County Attorney	0										Although I believe marijuana is being brought into Ness County from legal Colorado vendors, I have no proof that it is being distributed in anything other than small amounts through various acquaintances. Whatever prosecutions for marijuana possession I have conducted since it was legalized in the state of Colorado, I do not have any proof that the marijuana was
Norton County Attorney	2			yes	One case				The marijuana seized could be identified as having a Colorado source through its distributor label.	There appears to be no significant change in enforcement actions in our jurisdiction since January 1, 2014.	
Osage County Attorney's Office	~3	0	0	yes	I have had two cases where edibles, along with marijuana, was purchased in CO and brought back to KS for resale.		0	no	We have had two separate traffic stops in which large quantities of marijuana was found and it was discovered that the marijuana was purchased in CO and was being transported back to KS for distribution.	I think it has made marijuana use more acceptable by the public, and it has made defense attorneys seek lesser penalties for crimes involving marijuana.	
Osborne County Attorney	Estimate - 6	1	0	no			0	no	Information obtained by local law enforcement.	Little effect.	
Ottawa County Attorney	5	2	0	yes	Both 'business' and recreational users make it clear they travel to CO to obtain marijuana. It travels back often in the same packaging, and we find it distributed to those who did not make the trip, just waited for the dealer to return.	Nearly every MJ case - and every CINC case involving MJ raises the 'organic' or 'legal to the west' defense	no		I counted only those cases that had either an admission from someone with first-hand knowledge or the original packaging.	The single worst effect is the justification it gives the users.	
Pawnee County Attorney	I'm not aware of any.	I'm not aware of any.	I'm not aware of any.	no		I'm not aware of any.	no		N/A	I have seen no impact to date.	I'm not aware of any.
Phillips County Attorney	estimate of 8	0	1	yes	One case involved a large quantity of marijuana. The majority involve a driver being pulled over for speeding, the car smelling of marijuana and a search yielding personal use.	none	no		the defendant is from Colorado	I wish we knew how much of the marijuana from other cases is from marijuana but we have not been able to ascertain that.	
Pottawatomie County Attorney	None Known	None Known	None Known	no		No cases where it has been used as a defense. A few defense attorneys have used the legalization of marijuana in other states as an argument for a lesser penalty.	no		N/A	I believe the true effect comes from the community. I believe that citizens see the possession and/or even distribution of marijuana as less severe because other states have legalized it and they do not really understand the perimeters of the legalization, etc.	I think it will become more of any argument for lesser penalties that other states have legalized it. I see it influencing legislation even now as bills are introduced to change the penalties, etc.
Republic County Attorney	1	0	0	no			0	no		minimal	
Rice County Attorney	Nothing to report										
Riley County Attorney's Office	Uncertain. Perhaps a dozen or more traffic cases? Unable to provide how many CO Marijuana cases on KSU campus as most of them go to City of Manhattan Prosecutor's Office.	One, indirectly. The father keeps using marijuana and wants to move to Colorado to allow him to use.	None.	yes	Can't put a number on it, but there have been edibles or their packaging seen.	None	no		The information verifying that the marijuana was Colorado marijuana was gained by admissions of the Defendant, packaging with dispensary labels, or receipts of the purchases.	The narcotics detectives tell me that the quality of marijuana has significantly increased since Colorado legalized. Officers and Detectives are not seeing the low quality marijuana that they used to. Most of the product appears to be higher quality and in abundance.	Currently, we have a pending case involving three main suspects with pounds of marijuana coming directly from Colorado. The suspects would electronically transfer several thousands of dollars to Colorado and pick up the marijuana in Colorado. They would then travel back to Riley County. The sum of the fund transfers was well over \$150,000 over a period of a year. A receipt from a dispensary was located during a traffic stop while one of the suspects was traveling back to Manhattan. Detectives were also able to view text messages confirming trips to Colorado.
Rooks County Attorney Office	2	0	0	no			0	no	Address found on medicinal marijuana bottle. Statements made by Defendant and witness as to where marijuana was purchased.		

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Russell County Attorney	Estimated 23 cases. We file numerous marijuana cases and others may have ties to Colorado that are unknown.	none		1	no		no		The number of cases is provided based upon either the persons telling Law Enforcement that the marijuana is coming from Colorado or that the persons charged were generally arrested, traveling East on I-70 and coming from Colorado.	Most persons have been people buying varying quantities of marijuana to take back to their home for personal use. Generally it has not had a major effect on our caseload. It does require additional work by KBI lab chemists who have been unable to keep up with the Kansas drug caseloads.				
Saline County Attorney	I am a little apprehensive about responding as there is really no way to compute the impact of "Colorado marijuana" in Saline County. I kept an unofficial tally of cases since March 1, 2015, that involve stops on the interstate in which "Colorado marijuana" was located. I believe I can identify 33 cases during that 9 months period.									I have no way to determine how much "Colorado marijuana" is in Saline County. It is here though.	Most of our "Colorado marijuana" cases from the interstate are misdemeanor possession cases. KHP does not arrest and then I have to decide whether to charge. The difficulty is getting these people to appear when they live in another state. Interstate extradition on misdemeanor cases is discouraged and is expensive. Some of those arrested, posted bond, and failed to appear. The case will remain open until the defendant happens to have contact with law enforcement in Kansas. This may be years. Most of our cases do not involve local residents.			
Scott County Attorney		16	2	0	yes	We have had 4 specific cases that I can think of where traffic stops yielded large quantities of marijuana from people driving through who admitted they were coming from Colorado and going to a destination in Kansas. We can thank our flashing red lights for most of these!	almost every one		no		The 4 cases with large amounts of marijuana, the defendant admitted that was where their trip originated. Other possession cases, defense mentioned their clients get it in Colorado so thought it was fine. I have no way of verifying this information and I have a hunch that it is just the assumption within our drug culture that claiming legal Colorado marijuana will get them out of trouble. We do see defendants that are required to do drug testing as part of bond, probation, or diversion, claiming that they went to Colorado to smoke so it was not illegal.	This is my first term as county attorney, so I have no basis to answer this question.		
Seward County Attorney		40	1	1	yes	various edibles gummies mainly, but some chocolate	0	yes	the judges just do not see it as a serious problem	By admissions, packaging and the type of marijuana found	I think it is more prevalent than we know. Our marijuana filings have gone through the roof. We do not keep track of "Colorado" marijuana but the prevalence of marijuana use has gone up in our area.	I can't support it with numbers because we do not keep track but I believe it has had a significant effect in our area.		
Shawnee County District Attorney	We have no way of knowing for sure how many criminal prosecutions involving Colorado marijuana we have brought since January 1, 2014, however, I am aware of at least 4.	I am not aware of any CINC cases involving possession of Colorado marijuana since January 1, 2014 but cannot rule out the existence of any.	I am aware of one forfeiture case relating to Colorado marijuana.	no	I am NOT aware of any Colorado marijuana found in our jurisdiction in the time frame that was in the form of ingestive products.	We have had at least one case that involved a defendant raising a defense or an argument for a lesser penalty based on Colorado marijuana laws.	no		We believe Colorado marijuana was involved in the few cases we have cited either based on investigation records or statements of suspects.	There has been minimal impact as far as we know, although we have never tracked the information being sought in this survey so it is difficult to say for sure.				

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Sherman County Attorney	We have seen a dramatic increase in marijuana cases since the legalization of marijuana in Colorado, starting in 2012 after the increased or widespread availability of medical marijuana. 2012 - 26 marijuana prosecutions; 2013 - 60; 2014 - 71; 2015 - 108; In 2014, all but 11 of the 71 cases can more than likely be tied to Colorado. In 2015, 74 of the 108 cases can more than likely be tied to Colorado (more details in spreadsheet and letter)	This is a much more difficult number to determine. Often, we have a CINC case where a parent may test positive for marijuana, but there is no effort on the part of the agencies or court services to determine the source.	I do not know as my office does not handle asset forfeiture cases. Further, the large majority of our marijuana cases are through traffic stops by KHP.	yes	There has been edibles found in Sherman County, substantially more in 2015 than in 2014. I think part of that is the result of increased awareness by the officers of the presence of edibles and what to look for.	No one has raised a formal defense, but it is not unusual for a defendant to state to law enforcement that they bought it legally in Colorado. I am repeatedly reminded by defense counsel that only 15 miles away it is legal to possess marijuana.	no	I have not seen a change in the judicial attitude as far as sentencing, particularly with amounts that justify a possession with intent to distribute charge. I have heard some comments that would possibly indicate that because of the legalization of the possession of marijuana in Colorado that they do not view simple possession for personal use to be much of an issue.	We have gone back through the case files to review reports, photographs and whatever other evidence may be available to try and determine the source of the marijuana. A very typical fact pattern in many of these cases involves someone traveling from another state on I-70 through Sherman County who is stopped for a traffic violation. Odor of marijuana is prominent. Questioning of the defendant indicates they have recently traveled to Colorado, in a rental car, for a one or two day trip. Some will acknowledge they purchased the marijuana legally in Colorado. We have had some state that they make the trip on a regular basis. Some have stated that they go to Colorado to buy marijuana to take back to their state and sell it to make money.	It has had a detrimental effect on our jurisdiction. We have seen an increase in the number of marijuana prosecutions. This has caused a greater number of limited hours being spent on marijuana cases and a lesser amount of time on property crimes and traffic misdemeanors. We have limited resources to commit to cases so we have to choose where to commit those resources. It has increased the number of average jail days as well. Most importantly, we have seen an increase in the number of marijuana cases that involve larger amounts of marijuana, not simple personal use possession. In fact, I have had law enforcement officers in Sherman County tell me that they are not even bothering with small personal use marijuana now - they will simply have the individual dump the marijuana out and crush it into the ground. I was told that they do not want to waste their time on the small personal use amount when they know there is a constant stream of vehicles going through with much larger quantities. When I first started prosecuting in Sherman County in 2013, I was amazed when there was a case with a pound of marijuana. Now, it seems to be fairly routine for us to get a case with multiple pounds of marijuana. We recently had one individual who was caught with several pounds of marijuana and wanted to see a deal but the prosecution was how			
Sheridan County Attorney	none	none	none	no		none	no		NA	NA	I am sure we've had some Colorado marijuana in the county but it is not able to be quantified.		
Smith County		0	0	0	no		0	no		I have not had any increase in marijuana possession cases since the 'legalization' in Colorado. While it is certainly possible, even probable, that there is more marijuana travelling through Smith County now (highway 36 is a direct line to Denver), law enforcement has not indicated any issues with increased marijuana use or possession by local residents.			
Stafford County Attorney	3 to 4	none	none	no		none		Marijuana possession cases in Stafford County (which, like Ellsworth County, is in the Twentieth Judicial District) usually take a backseat to the prosecution of more significant criminal offenses and more significant drug cases. To begin, Stafford County does not have a jail, courtesy of the State Fire Marshal's Office. Hence, Stafford County must purchase jail space at other county jails at a varying rate of \$45.00 a day to \$75 a day. At any given time, Stafford County has about a dozen prisoners, distributed between four to six jails. The cost of transporting prisoners between said jails and the Stafford County Courthouse actually exceeds the actual costs of housing them. What with the lack of jail space in Stafford County and the overcrowding on the male prisoner side of KDOC, it is good public policy for Stafford County to impose suspended jail sentences and fine persons possessing or selling small amounts of marijuana. The #1 problem drug in Stafford County is, of course, methamphetamine, with opioids running a strong second.	In Stafford County, unlike Ellsworth County, you do not see marijuana in the original retail package. Thus, we have to rely upon statements from the accused to ascertain whether the marijuana in question has a Colorado connection.	The impact of Colorado marijuana legalization has been fairly de minimis in Stafford County. Despite having U.S. Highway 50 traversing Stafford County, traffic stops do, usually, not yield marijuana when drugs are found. Rather, we see methamphetamine (both local and from Mexico), some cocaine (also from Mexico), and we are starting to see Mexican brown heroin. However, the Kansas Highway Patrol has not yet deployed the number of drug dog cars U.S. Highway 50 as are employed on Interstate 70.			

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Stanton County Attorney	At least 2 to 3 cases. I am sure there is much more out there effecting our community, but we are a small county with limited resources.	0	0	no		I recall one specific case where the Defendant felt like he should not be prosecuted since he acquired the drug legally in Colorado. There was one incident where the Defendant asked for a lesser penalty (It does make it more difficult to prosecute these people when they argue it is legal just 15 miles west.)	no		Our LEO information in the case and admissions of the Defendants told us they acquired it in Colorado.	Overall, it is having an effect. I am sure that I will see more cases with marijuana coming from Colorado. I see drugs here as a bigger problem than ever. Overall, people think it is a lesser big deal than ever and that attitude follows over to the defendant's attitude, the defense attorney's attitude and sometimes the judge.	I am very much in opposition of anything in Kansas to legalize marijuana in any way. It is a huge gateway drug and effects crime all the time. Anything we can do to keep this illegal is important. I believe DUI's and other types of crime will increase if it's legalized.		
Stevens County Attorney		2	0	0	no		0	no	They said it was.	I can't pinpoint the marijuana being from Colorado so I can't make an assumption.			
Sumner County Attorney	About 5 cases per year.				yes	We have had people arrested who had marijuana brownies they purchased in Colorado.			The most recent case was a drug paraphernalia case where the defendant claimed she was just preserving her marijuana pipe so that she would have it to use the next time she went to Colorado to smoke marijuana. Of course that is not a legal defense to drug paraphernalia.			We had one person with some quantity who claimed it was for his personal use in Illinois or Indiana and was to last him until his next trip to Colorado.	
Thomas County Attorney	10-15 cases (estimate)		0	0	yes	2 cases	0	no	Cases reported are based upon suspects self-reporting.	Defense attorneys mention it when clients are charged with possession of marijuana in plea negotiations. My response is tell your client to move there.			
Trego County Attorney	approximately 150 cases		2	Asset forfeitures are handled by another attorney	yes	Interstate 70 runs through Trego County, and as such we have a number of persons returning from Colorado stop for fuel, or are stopped for traffic violations. An increasing number of those stops result in the filing of criminal charges. In addition, the amounts of marijuana have increased, particularly with edibles.		no	Information received from the officer's investigations indicate statements from the defendants that the marijuana was purchased in Colorado.	The legalization of marijuana in Colorado has increased the criminal case load in Trego County approximately 200% over the past two (2) years.			
Wabaussee County Attorney	I searched through our complaint database to get an idea of how many marijuana cases there were and what type. It appears we had 25 marijuana possession cases filed in 2014 and 23 of them were high quantity felony cases with 2 misdemeanor possession cases. We had 28 marijuana cases filed in 2015 with 24 being high quantity felony cases. For 2016 we have 16 marijuana cases with just over half of them high quantity felony cases. I also went back to 2013 and saw that we had 25 marijuana cases, although 10 were second offense and/or misdemeanor cases. Our sample size is clearly small, but it does seem that 2014 saw a jump in quantity per case although not overall case numbers.	Given the way CINC cases arise, we simply do not have information on this. Case workers will cite drug use or failed tests but do not provide source information on the drugs.	For reasons stated above, we do not have numbers on this.	yes	Officers are finding consumables that appear to come from Colorado although source is often not the focal point of an investigation.	While not always formally raised or discussed I believe the impact of Colorado's legalization plays a role in our prosecutions. It is harder to advocate for stiff sentences on a substance that is seen as legal in a neighboring state. Many of the traffickers have little to no criminal history and when considering allocation of prison space there may be others better suited for the space. Everyone in the system is aware of pending legislation to ratchet down marijuana penalties and severity levels and I think this all lends to momentum against long prison sentences and felony convictions.		I cannot recall specific referencing of Colorado legalization by judges but I think the overall momentum is toward lesser penalties.	As discussed above, the direction of travel, stop location, and other factors such as retail consumables are potential indicators of origin, but generally there is not overwhelming evidence of origin that is appearing in my files.	Despite small sample size, it appears fair to say that the quantities moving through have increased even though overall case numbers have not.	I took a close look at all of the 2016 cases so far. Of the 14 so far logged, 9 are large quantity felony cases and all the result of vehicle stops. Of those 9, there were 3 sets of co-defendants, meaning that there were 6 vehicle stops total. All 6 were Eastbound on I-70. One vehicle had a large amount of retail consumables. Another vehicle had a Colorado plate. There were no overwhelming indicators of origin of the marijuana noted in the cases, but it seems fair to suggest that the high quantity cases are coming from Colorado. The consistent direction of travel on the high quantity cases is hard to ignore and suggestive of a Colorado source.	In order to get more information, you may want to approach the task forces that combine state and federal efforts. These entities, in building nationwide cases, are much more likely to have developed information on the source of the marijuana. I think a survey of State Troopers may help as well. In the course of long stops they have conversations and gather information that do not always make the reports and isn't always necessary to meet the elements of an offense, but may provide information on this issue.	Hopefully, I have addressed your questions. My overall summary is that I believe there is some impact of Colorado legalization on my jurisdiction but quantifying that impact is not easy. It is hard to know whether Colorado legalization is creating an additional source of marijuana with overall supply increase, or if it is just replacing pre-existing sources. It is also hard to discern the direct impact of Colorado's action versus perhaps nationwide attitude changes on marijuana that have simply manifested more in Colorado.
Washington County Attorney		2									There is no absolute way to determine whether or not various other cases involving the charge of marijuana ultimately originated in the State of Colorado.		
Wichita County Attorney		0	0	0	no		0	no					
Wilson County Attorney	None that I am aware	None	None	no		None		no		More people talk about moving to Colorado. Some defendant's believe mj possession is legal in Kansas...	I know of cases we have had where defendant's under the court's jurisdiction have been caught trying to bring Colorado mj into Kansas.		
Woodson County Attorney's Office		1	0	0	no		0	yes	No Judge has specifically stated such, but it is almost impossible to have a defendant revoked and remanded to prison for a positive THC UA.	Asked the Sheriff and was told we had one case.			
Wyandotte County District Attorney		0	1	0	no	none from Colorado, one claimed he had a prescription from California		no	the father in the CINC case stated in court that he had been to Colorado and had gotten marijuana.	no discernible effect			