

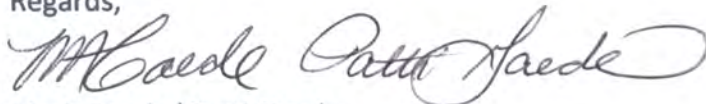
To: Kenai Peninsula Borough Planning Commission
Subject: Application by Terra House LLC for Marijuana Cultivation
Date: Oct 4, 2016

We are Mark and Patti Gaede, owners of property adjacent to Lot 3B Gaede Eighty Subdivision, Addition No. Five, the owner of which has applied for a marijuana cultivation license.

We are asking the Planning Commission to reject this application for the following reasons:

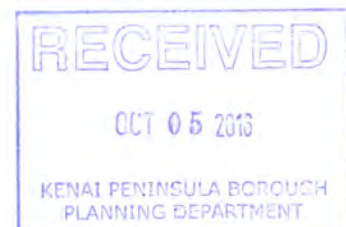
- 1) Drug related traffic has been a problem in the Gaswell Road area for many years. While the police have made progress in reducing drug related traffic in the past couple years, it seems counterproductive to license a facility that would reverse that trend. The crime statistics for this are from an illegal substances summary we requested from the Alaska State Troopers for years 2013-2016. This summary was specific to the Gaswell Road area.
- 2) Given the immediate proximity to a subdivision, I believe it would put children at risk due to the clients that frequent facilities of this nature, i.e. people willing to break the law for personal pleasure with no regard to the consequences.
- 3) Despite what pro-marijuana propaganda states, marijuana use IS linked to other drugs. This information has been gathered by talking to the various law enforcement personnel and the testimony of former drug users. Therefore, I believe the licensing of a marijuana cultivation facility in our area would be detrimental to the welfare of this community. (See point #1)
- 4) With the legalization of marijuana for recreational use in the State of Alaska, some may argue that a different clientele (see point #2) will immerge, since a person no longer has to break the law to use marijuana. However, I would like to point out that there is no proof of this since there has been insufficient time to provide those statistics. In the meantime, I do not want to see our community targeted for a social experiment.
- 5) Some states that have had marijuana legalization longer than Alaska show statistics directly linking increased crime rates to the legalization of marijuana. (See attachments from Colorado)

Regards,



Mark Gaede/ Patti Gaede

34111 Gaede Ln
Soldotna, AK 99669





THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Public Safety

DIVISION OF ALASKA STATE TROOPERS
E Detachment

46333 Kalifornsky Beach Road
Soldotna, Alaska 99669-8295
Main: 907.262.4453
Fax: 907.262.2889

May 10, 2016

Mark Gaede
PO Box 2192
Soldotna, AK 99669

RE: Public Records Request – Statistics

Dear Mr. Gaede,

This letter is in response to your request seeking copies of materials/reports regarding the above incident.

A complete copy of the material you have requested has been prepared. Considering the time the administrative staff spent to research, retrieve, compile, and submit these records was less than five hours, your cost for the records – in accordance with Alaska Statutes 40.25.110 and Alaska Administrative Code 96.360 – does not include a charge for personnel time but is limited to material and delivery costs. Because the total amount is less than \$5.00 this fee is currently being waived.

The scope of worked searched by our analysts:

"The query looks for any incidents where there is a misconduct of a controlled substance or drug crime tip. I looked for anything within a two mile radius (when latitude and longitude are available) based on the addresses provided or based on street names where possible. The incident location is not included in the data since most of them are actual addresses to a residence."

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Gilmore".

Dane Gilmore
Lieutenant

| Total Incidents Offense Type | Year Reported | | | |
|--|---------------|-----------|-----------|----------|
| | 2013 | 2014 | 2015 | 2016 |
| Drug Crime Information - Tip | 10 | 9 | 15 | 2 |
| Drugs - AS11.71.020(a)(1) - MICS 2nd - Delivers Heroin | | 1 | | 2 |
| Drugs - AS11.71.020(a)(1) - MICS 2nd - Possess Heroin With Intent to Manufacture or Deliver | 1 | | | |
| Drugs - AS11.71.030(a)(1) - MICS 3rd - Delivers Schedule IIA or IIIA Listed Stimulants Including Methamphetamine | | | | 1 |
| Drugs - AS11.71.030(a)(1) - MICS 3rd - Manufactures Schedule IIA or IIIA Hallucinogen | 1 | | | |
| Drugs - AS11.71.030(a)(1) - MICS 3rd - Possess With Intent To Deliver Schedule IIA or IIIA Listed Stimulants Including Methamphetamine | | | | 1 |
| Drugs - AS11.71.040(a)(1) - MICS 4th - Sells Schedule IVA or VA Controlled Substance | 1 | | | |
| Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Amphetamine | | 2 | 1 | |
| Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Heroin | 2 | 2 | 1 | |
| Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Controlled Substance | 1 | 3 | | 1 |
| Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Synthetic Narcotic | | 1 | | |
| Drugs - AS11.71.040(a)(3)(G) - MICS 4th - Possess 25 or More Plants of Marijuana | | 1 | | |
| Drugs - AS11.71.040(a)(8) - MICS 4th - Knowingly Furnishes False Or Fraudulent Information In Or Omits Material Information From Any Document Required Under AS17.30 | 1 | | | |
| Drugs - AS11.71.050(a)(2)(A) - MICS 5th - Possess Less Than 25 Tablets, Ampules Or Syrettes Containing Schedule IIIA Synthetic Narcotic | | | | 1 |
| Drugs - AS11.71.060(a)(1) - MICS 6th - Uses or Displays Marijuana | 1 | 3 | | |
| Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | 4 | 2 | 1 | |
| Grand Total | 22 | 24 | 19 | 7 |

| IncidentNumber | ReportedDate | YearReported | Statute | OffenseDescription | FelonyMisdemeanor | Mapped_Beat_Desc |
|----------------|--------------|--------------|----------------------|--|-------------------|------------------|
| AK13004117 | 1/18/2013 | 2013 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK13004863 | 1/21/2013 | 2013 | AS11.71.040(a)(8) | Drugs - AS11.71.040(a)(8) - MICS 4th - Knowingly Furnishes False Or Fraudulent Information In Or Omits Material Information From Any Document Required Under AS17.30 | Felony | KALIFONSKY |
| AK13005352 | 1/23/2013 | 2013 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK13005570 | 1/24/2013 | 2013 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK13008119 | 2/3/2013 | 2013 | AS11.71.020(a)(1) | Drugs - AS11.71.020(a)(1) - MICS 2nd - Possess Heroin With Intent to Manufacture or Deliver | Felony | KALIFONSKY |
| AK13015130 | 3/4/2013 | 2013 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK13021025 | 3/29/2013 | 2013 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | KALIFONSKY |
| AK13022843 | 4/6/2013 | 2013 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK13026974 | 4/24/2013 | 2013 | AS11.71.030(a)(1) | Drugs - AS11.71.030(a)(1) - MICS 3rd - Manufactures Schedule IIA or IIIA Hallucinogen | Felony | SOLDOTNA |
| AK13026255 | 4/21/2013 | 2013 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Heroin | Felony | KALIFONSKY |
| AK13032562 | 5/15/2013 | 2013 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK13034544 | 5/23/2013 | 2013 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK13059776 | 8/10/2013 | 2013 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK13053145 | 7/21/2013 | 2013 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Controlled Substance | Felony | SOLDOTNA |
| AK13069910 | 9/13/2013 | 2013 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | KALIFONSKY |
| AK13073190 | 9/24/2013 | 2013 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK13065731 | 8/29/2013 | 2013 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK13078959 | 10/15/2013 | 2013 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | KALIFONSKY |
| AK13079214 | 10/16/2013 | 2013 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Heroin | Felony | KALIFONSKY |
| AK13080395 | 10/21/2013 | 2013 | AS11.71.040(a)(1) | Drugs - AS11.71.040(a)(1) - MICS 4th - Sells Schedule IVA or VA Controlled Substance | Felony | SOLDOTNA |
| AK13081747 | 10/26/2013 | 2013 | AS11.71.060(a)(1) | Drugs - AS11.71.060(a)(1) - MICS 6th - Uses or Displays Marijuana | Misdemeanor | KALIFONSKY |
| AK13091429 | 12/5/2013 | 2013 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | KALIFONSKY |
| AK14003990 | 1/16/2014 | 2014 | AS11.71.060(a)(1) | Drugs - AS11.71.060(a)(1) - MICS 6th - Uses or Displays Marijuana | Misdemeanor | KALIFONSKY |
| AK14024769 | 4/10/2014 | 2014 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK14028563 | 4/25/2014 | 2014 | AS11.71.060(a)(1) | Drugs - AS11.71.060(a)(1) - MICS 6th - Uses or Displays Marijuana | Misdemeanor | SOLDOTNA |
| AK14028214 | 4/24/2014 | 2014 | AS11.71.040(a)(3)(G) | Drugs - AS11.71.040(a)(3)(G) - MICS 4th - Possess 25 or More Plants of Marijuana | Felony | KALIFONSKY |
| AK14029762 | 4/30/2014 | 2014 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK14030031 | 5/1/2014 | 2014 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK14041479 | 6/10/2014 | 2014 | AS11.71.020(a)(1) | Drugs - AS11.71.020(a)(1) - MICS 2nd - Delivers Heroin | Felony | KALIFONSKY |
| AK14048677 | 7/3/2014 | 2014 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK14053504 | 7/13/2014 | 2014 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK14054799 | 7/21/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Controlled Substance | Felony | KALIFONSKY |
| AK14053420 | 7/17/2014 | 2014 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | SOLDOTNA |
| AK14058444 | 7/31/2014 | 2014 | AS11.71.060(a)(1) | Drugs - AS11.71.060(a)(1) - MICS 6th - Uses or Displays Marijuana | Misdemeanor | SOLDOTNA |
| AK14057544 | 7/29/2014 | 2014 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK14060106 | 8/6/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Amphetamine | Felony | SOLDOTNA |
| AK14065141 | 8/21/2014 | 2014 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | SOLDOTNA |
| AK14067436 | 8/29/2014 | 2014 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK14070431 | 9/7/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Controlled Substance | Felony | KALIFONSKY |
| AK14076132 | 9/26/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Synthetic Narcotic | Felony | KALIFONSKY |
| AK14077628 | 10/2/2014 | 2014 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK14060426 | 8/7/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Heroin | Felony | KALIFONSKY |
| AK14077010 | 9/29/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Controlled Substance | Felony | KALIFONSKY |
| AK14079523 | 10/8/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Amphetamine | Felony | KALIFONSKY |
| AK14092491 | 11/29/2014 | 2014 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK14095786 | 12/13/2014 | 2014 | AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Heroin | Felony | KALIFONSKY |
| AK15009084 | 2/5/2015 | 2015 | AS11.71.060(a)(2) | Drugs - AS11.71.060(a)(2) - MICS 6th - Possess Less Than 1oz Marijuana | Misdemeanor | KALIFONSKY |
| AK15010208 | 2/10/2015 | 2015 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15011268 | 2/14/2015 | 2015 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK15015531 | 3/3/2015 | 2015 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK15018751 | 3/16/2015 | 2015 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK15012576 | 2/20/2015 | 2015 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15025296 | 4/9/2015 | 2015 | | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK15053625 | 7/9/2015 | 2015 | | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15052842 | 7/7/2015 | 2015 | | Drug Crime Information - Tip | Other | SOLDOTNA |

| | | | | | |
|------------|------------|---------------------------|---|-------------|------------|
| AK15055443 | 7/14/2015 | 2015 | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15056654 | 7/18/2015 | 2015 | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK15064622 | 8/10/2015 | 2015 | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15071494 | 9/1/2015 | 2015 | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15072048 | 9/3/2015 | 2015 | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15077413 | 9/20/2015 | 2015 | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK15074340 | 9/10/2015 | 2015 | Drug Crime Information - Tip | Other | KALIFONSKY |
| AK15080066 | 9/30/2015 | 2015 AS11.71.050(a)(2)(A) | Drugs - AS11.71.050(a)(2)(A) - MICS 5th - Possess Less Than 25 Tablets, Ampules Or Syrettes Containing Schedule IIIA Synthetic Narcotic | Misdemeanor | KALIFONSKY |
| AK15084302 | 10/15/2015 | 2015 AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Amphetamine | Felony | SOLDOTNA |
| AK15096955 | 12/4/2015 | 2015 AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Heroin | Felony | KALIFONSKY |
| AK16002911 | 1/12/2016 | 2016 AS11.71.020(a)(1) | Drugs - AS11.71.020(a)(1) - MICS 2nd - Delivers Heroin | Felony | KALIFONSKY |
| AK16002993 | 1/12/2016 | 2016 | Drug Crime Information - Tip | Other | SOLDOTNA |
| AK16004285 | 1/18/2016 | 2016 AS11.71.020(a)(1) | Drugs - AS11.71.020(a)(1) - MICS 2nd - Delivers Heroin | Felony | KALIFONSKY |
| AK16006019 | 1/25/2016 | 2016 AS11.71.030(a)(1) | Drugs - AS11.71.030(a)(1) - MICS 3rd - Delivers Schedule IIA or IIIA Listed Stimulants Including Methamphetamine | Felony | KALIFONSKY |
| AK16008324 | 2/2/2016 | 2016 AS11.71.040(a)(3)(A) | Drugs - AS11.71.040(a)(3)(A) - MICS 4th - Possess Schedule IA or IIA Controlled Substance | Felony | KALIFONSKY |
| AK16016447 | 3/5/2016 | 2016 AS11.71.030(a)(1) | Drugs - AS11.71.030(a)(1) - MICS 3rd - Possess With Intent To Deliver Schedule IIA or IIIA Listed Stimulants Including Methamphetamine | Felony | KALIFONSKY |
| AK16021148 | 3/24/2016 | 2016 | Drug Crime Information - Tip | Other | SOLDOTNA |

PART 1 CRIME IN THE CITY AND COUNTY OF DENVER BASED ON UCR STANDARDS

| TYPE OF OFFENSE | | JAN-AUG 2015 | | JAN-AUG 2016 | | CHANGE | |
|------------------------|--------------------------------|---------------|---------------|---------------|---------------|--------------|-------------|
| | | # | % | # | % | # | % |
| VIOLENT CRIME | Homicide | 32 | 0.2% | 33 | 0.2% | 1 | 3.1% |
| | Rape | 0 | 0.0% | 0 | 0.0% | 0 | NA |
| | Robbery | 812 | 4.4% | 808 | 4.1% | -4 | -0.5% |
| | Aggravated Assault | 1,814 | 9.8% | 1,910 | 9.7% | 96 | 5.3% |
| SUBTOTAL | | 2,658 | 14.4% | 2,751 | 14.0% | 93 | 3.5% |
| PART 1 PROPERTY | Burglary | 3,000 | 16.2% | 3,162 | 16.0% | 162 | 5.4% |
| | Larceny (Except Theft from MV) | 5,894 | 31.9% | 6,109 | 31.0% | 215 | 3.6% |
| | Theft from Motor Vehicle | 4,115 | 22.3% | 4,560 | 23.1% | 445 | 10.8% |
| | Auto theft | 2,725 | 14.8% | 3,059 | 15.5% | 334 | 12.3% |
| | Arson | 73 | 0.4% | 60 | 0.3% | -13 | -17.8% |
| SUBTOTAL | | 15,807 | 85.6% | 16,950 | 86.0% | 1,143 | 7.2% |
| PART 1 TOTAL | | 18,465 | 100.0% | 19,701 | 100.0% | 1,236 | 6.7% |

All files utilized in the creation of this report are dynamic. Dynamic files allow additions, deletions and/or modifications at any time, resulting in more complete and accurate records in the databases. Due to continuous data entry after reports are compiled, numbers may vary in previous or subsequent reports.

PREPARED TO DEPARTMENT OF SAFETY PUBLIC INFORMATION STANDARDS

Excludes runaways, traffic offenses, unfounded reports and non-criminal activity.



American Thinker

June 1, 2016

Colorado prosecutor: Marijuana-related murders are skyrocketing

By Sierra Rayne

According to the latest reports coming out of Colorado, marijuana is a major cause of homicides in the state, and the problem is only getting worse.

Regular readers will know that Colorado has seen a massive increase in crime since it legalized pot. The numbers just keep getting worse. Over the first four months of 2016, [total crime](#) in Denver is up 10% over the same period from 2015. This rate of increase is five times the population growth rate and adds to equally large increases in 2015 and 2014, as well as the period in 2013, after which the state government signaled marijuana legalization was forthcoming.

The cops in Colorado knew this would happen. They predicted it, and it has come to fruition.

Now a prosecutor in the state has gone on the record with his concerns. Arapahoe County district attorney George Brauchler provides [some disturbing statistics](#): 10 of the last 15 murders in his jurisdiction were connected to marijuana.

Mr. Brauchler expressed the following to FOX 31 out of Denver:

"There is increased crime, sometimes violent crime, associated with legalization of marijuana," Brauchler said. "That's not what you'd expect. You'd expect the harder-core drugs." ... "If cash is the only way to acquire marijuana, crime follows cash," Brauchler said ... Brauchler believes the legalization of marijuana is partly to blame for the rise in crime. "It is easier for there to be black market in a legalized system than there was before," he said.

This all wasn't supposed to happen. The pot legalization advocates told us that legalized marijuana would reduce crime and effectively eliminate the black market. Now we have experienced and respected prosecutors saying they are seeing, firsthand, the exact opposite.

The legalization proponents overlooked a basic fact that District Attorney Brauchler's comments make clear – you will always require money to purchase pot, whether it is legal or not, and it is that need to acquire currency to procure the addictive drug that is a primary driver of marijuana-related crime.

Legalization will not reduce the need to acquire resources – often illegally – to purchase a drug. In fact, it generally increases the problem, as Colorado is showing. Since marijuana makes users, in non-technical terms, stupid and lazy (note to liberals: this is #science and #fact, aka settled science), the drug thus poses severe challenges toward the acquisition of money via legal means in order to satisfy the corresponding habit.

Thus, legalization functions as a positive feedback loop, making access to the drug easier, getting users hooked, then diminishing their drive and desire to perform socially beneficial work to feed their addiction, thereby resulting in crime to get their fix. This is the Socio-Economics of Drugs 101.

And then there are the [road hazards from legalized pot](#):

A report by the AAA Foundation released Tuesday found that traffic fatalities involving drivers in Washington where marijuana was involved had doubled between 2013 and 2014. Marijuana became legal in the state in 2012.

Similar trends were observed in Utah, where "officials say the number of fatal car wrecks in Utah in which drivers tested positive for marijuana has more than doubled in the last three years."

Prosecutors: Colorado sees increase in homicides motivated by marijuana

Posted 9:58 pm, May 24, 2016, by David Mitchell, Updated at 06:40am, May 25, 2016

DENVER -- Some prosecutors in Colorado say they're noticing a new trend: An increase in murders motivated by marijuana.

In Aurora, the last 10 of 15 drug-related homicide cases were connected to marijuana.

Arapahoe County District Attorney George Brauchler said it's not the big-time dealers who are involved. For the most part, it has been the small-time ones on the streets.

In Jefferson County, a burned-up car had a dead body inside, and investigators later determined the victim was harvesting marijuana nearly 100 miles away in Agate. When he was killed, he was stuffed into the trunk.

"There is increased crime, sometimes violent crime, associated with legalization of marijuana," Brauchler said. "That's not what you'd expect. You'd expect the harder-core drugs."

Many recent marijuana murder cases involve small-time street dealers getting killed for their marijuana and money.

"If cash is the only way to acquire marijuana, crime follows cash," Brauchler said.

Mark Chafant, 19, is one of many victims. He was allegedly trying to sell a bag of marijuana to some teenagers when he was shot and killed. Calvin Banks and two other juveniles were charged with the crime.

Other cases involve local dealers accused of killing tourists. Brauchler believes the legalization of marijuana is partly to blame for the rise in crime.

"It is easier for there to be black market in a legalized system than there was before," he said.

Brauchler said until law enforcement figures out a way to slow the flow of black market marijuana and the cash that comes with it, the marijuana-related death rate in the state will continue to grow.

Filed in: Problem Solvers

Suggest a correction

Trial date set for Richard Kirk in 'marijuana edibles' murder of wife case

BY: [TheDenverChannel.com Team](#)

POSTED: 10:38 AM, Sep 29, 2016

UPDATED: 5:40 PM, Sep 29, 2016

TAG: [marijuana edibles](#) | [kristine kirk](#) | [richard kirk](#)

DENVER -- A trial date has been set for the man accused of killing his wife while high on marijuana edibles.

Richard Kirk is charged with first degree murder in the murder of his wife, Kristine Kirk, in Denver in 2014.

Last year, Richard Kirk changed his plea to not guilty by reason of insanity and was ordered to undergo a mental health exam.

While prosecutors did not release the results of Kirk's competency report in court Thursday, the judge set a trial date for March 6 after reading the report.

Kristine Kirk killed

On April 14, 2014, Kristine Kirk called 911 and told the operator that Richard appeared to be hallucinating and that she was worried about her safety and the safety of their children, [according to court documents](#).

Police said she told the operator that her husband was so impaired after eating some marijuana-laced candy called "Karma Kandy Orange Ginger," that he was crawling through a bedroom window and cutting his legs on broken glass.

In the probable cause statement, authorities said Kristine told them "her husband was talking like it was the end of the world... and had asked her to get the gun to shoot him."

"At one point during the call Mrs. Kirk sounds panicked and tells the 911 operator that Richard was taking the firearm out of the safe. She next related that he had the gun and she didn't know where to go," the document stated.

"Within seconds, the wife 'can be heard screaming. The screaming stopped after hearing what [the detective] believes is the sound of a gunshot. The 911 phone line remained open, but Mrs. Kirk is never heard from again,'" the detective wrote.

Officers entered the home and found a black semi-automatic handgun on the floor of the front room and a cartridge on the floor in a hallway. Police found Kristine Kirk lying on the floor nearby. She was pronounced dead at the scene.

Richard Kirk's preliminary hearing

During Richard Kirk's preliminary hearing in August 2014, detective Detective Troy Bisgard testified that the only substance found in Richard Kirk's system was THC.

The detective said Kirk had purchased the marijuana-infused candy and a pre-rolled pot cigarette at about 6:40 p.m. -- just hours before the killing.

Bisgard testified the couple had been having marital and financial troubles. They owed the IRS \$2,500 and had more than \$40,000 in credit card debt.

A few months before the killing, the couple had argued over Richard Kirk mishandling a Groupon purchase for hotel stay in Glenwood Springs, Bisgard testified. Friends told police the husband had angrily cursed Kristine and his reaction had frightened her.

Kristine Kirk had shared her concerns about her husband's combativeness in a March Skype conversation with her sister.

After the argument, Richard Kirk shifted the direct deposit of his paycheck from the couple's joint bank account to his personal account, the detective said.

The husband also asked if he could move in with a friend, but the friend said no, Bisgard recounted.

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