

State of Alaska
Department of Law

Gregg D. Renkes
Attorney General
P.O. Box 110300
Juneau, Alaska 99811
NEWS RELEASE



Press Contact: Theresa Woelk

907-465-6711
FAX: 907-465-2075
www.law.state.ak.us

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Court of Appeals Says State Free to Challenge 1975 *Ravin* Case

(Juneau, AK) - Attorney General Gregg Renkes announced today that the state's petition to the Alaska Court of Appeals in a marijuana prosecution has resulted in a ruling by the appellate court that the state is free to challenge the famous case of *Ravin v. State*. The *Ravin* case is the 1975 opinion of the Alaska Supreme Court holding that the right of privacy allows adults to possess marijuana at home.

"The Court of Appeals clarified what we have been saying for a long time—that the state has the legal right to show that there are now valid reasons for prohibiting the private possession of marijuana, which may not have existed a quarter century ago when *Ravin* case was decided," said Attorney General Gregg Renkes. "What we wanted was a fair opportunity to defend the constitutionality of the state's drug laws, and the court's new opinion provides us with that authority in future cases."

The ruling by the Court of Appeals stemmed from a petition filed by prosecutors in a recent case from Fairbanks called *Noy v. State*. The Attorney General announced that a further petition to the Supreme Court will be necessary because the court misinterpreted the state's arguments and denied the state's petition for rehearing.

"We will seek review of the Alaska Court of Appeals decision because they have denied the state's request for a fair opportunity to make the showing regarding the dangers of marijuana required by *Ravin*." Renkes explained.

Renkes concluded by reiterating his previous concerns about marijuana. "The Alaska Supreme Court long ago ruled that it is not okay to possess marijuana on our streets, in our schools, or anywhere in public." Renkes said. "The drug is much more powerful than in the past, and it's time for the court to recognize the will of the voters, who have said that, except for medical purposes, it is not okay to have marijuana at home. There is a reason why Alaska is one of the top five marijuana growing states in the nation, has one of the highest rates of new marijuana users, and has one of the highest rates of teenage marijuana use in the country. The previous legalization has had its inevitable effect."

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