

Ex-Trooper Turned Cannabis Grower Seeks Action on Fake Weed

Former Highway Patrol Leader Says Cannabis Posing as Hemp Breaks Existing Laws

Alan Welsh wasn't just any cop; he was a significant figure in law enforcement. After an illustrious career with the South Dakota Highway Patrol, Welsh has made a surprising shift to growing marijuana for a living. His transition from top cop to weed entrepreneur highlights a profound change in perspective and brings attention to ongoing legal issues surrounding hemp-derived cannabis products.

From Law Enforcement to Cannabis Cultivation

Welsh served 28 years with the South Dakota Highway Patrol, many of which were spent as a top leader in the Sioux Falls region. During his tenure, he was a prominent figure in the community, frequently quoted in news stories about significant drug busts, such as the 2012 seizure of 295 pounds of marijuana. Today, Welsh is a partner in Dakota Herb, a company producing large quantities of marijuana regularly.

The sight of Welsh in a room full of cannabis without his badge or a story about a bust is astonishing. Reflecting on his past, Welsh admits to feeling a sense of shock himself, especially during a recent tour of a Dakota Herb facility filled with dried marijuana awaiting processing.

"When I was in law enforcement, I'd have gone crazy seeing this," Welsh remarked.

A Shift in Perspective on Weed

Welsh's journey from law enforcement to cannabis cultivation began with his post-policing job managing security for a trucking company in North Dakota. The company's owner, Darcy Johnson, suggested entering the cannabis business after South Dakota voters moved to legalize medical marijuana. Initially resistant, Welsh began researching and eventually changed his mind.

"I did my own research, I looked into it, and I kind of changed my mind," Welsh explained.

Comparing cannabis to alcohol, Welsh realized the stigma around marijuana was unfounded. He cites actor-turned-marijuana-entrepreneur Jim Belushi, saying, "I used to be a bouncer, and I never broke up a fight between two potheads."

Regulatory Frustrations and Legal Loopholes

Despite his change of heart, Welsh has grown frustrated with state regulators and law enforcement's response to the quasi-legal market for marijuana alternatives. The 2018 Farm Bill legalized hemp, defined as cannabis with less than 0.3% delta-9 THC by dry weight. This opened the door for hemp-derived delta-8 and delta-10 THC products, which mimic the effects of marijuana but remain federally legal.

These products are widely available in smoke shops, gas stations, and liquor stores across South Dakota, bypassing the need for a medical marijuana card. In response, South Dakota lawmakers passed House Bill 1125, banning delta-8, delta-10, and THC-O products created through chemical modification. However, enforcement remains a challenge.

Quality and Safety Concerns

Welsh emphasizes the rigorous standards Dakota Herb adheres to, including tracking products from seed to shelf and ensuring quality and potency through extensive testing. In contrast, the unregulated market for [hemp-derived products](#) lacks such oversight.

“The state has access to our camera system. The state has access to our registers. They see what we sold,” Welsh noted. “These other places aren’t doing any of that.”

Legal Ambiguities and Enforcement Challenges

Welsh is not entirely satisfied with the new state law. Enforcement difficulties and the legal status of smokable hemp with high THC-A content create ongoing challenges. THC-A converts to delta-9 THC when smoked, potentially making these products indistinguishable from marijuana.

“It’s like me saying, ‘Here’s a bottle of vodka, but it’s not really vodka until you take the cap off and take a drink,’” Welsh explained.

Despite potential legal loopholes, Welsh and his partner, Joe Stavig, choose to operate within the regulatory framework, emphasizing quality and safety. They acknowledge the federal DEA’s stance on counting THC-A in total THC calculations, a move some states like Minnesota are adopting.

Law Enforcement Response

Welsh criticizes the inconsistent enforcement of laws surrounding smokable hemp. South Dakota prohibits the sale or possession of smokable hemp, regardless of THC content, yet enforcement is lax. Welsh questions why more isn’t being done to regulate these products, considering the number of felony charges for marijuana possession compared to the few charges for smokable hemp.

“When I was in law enforcement, we always said, ‘We don’t make the laws, we just enforce them,’” Welsh said. “So why aren’t they enforcing the law?”

Alan Welsh’s transition from a high-ranking law enforcement officer to a cannabis grower underscores a significant shift in perspective on marijuana. His experiences highlight the complexities and challenges within the evolving legal landscape of cannabis and hemp-derived products. As South Dakota navigates these changes, Welsh’s voice adds an important perspective on regulation, safety, and the future of cannabis in the state.

Email: info@cannabisriskmanager.com | Phone: +415-226-4060

© Copyright 2025 Cannabis Risk Manager. All Rights Reserved