

Cole Haymond to Cole

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Legalize ND: Attorneys Debunk Opinion From Opponents That Measure 3 Legalizes DUI's

Attorneys state the Recreational Marijuana Initiative WILL NOT Legalize Driving While High

FOR IMMEDIATE RELEASE

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(FARGO, ND) Today, the Legalize ND campaign is seeking to push back on the unfounded claims that Measure 3, the ballot measure to legalize Cannabis, will in effect grant the right for North Dakotans to operate vehicles while impaired. In response to the Minuteman Blog (<https://www.theminutemanblog.com/2018/08/17/no-you-cant-drive-high-if-recreational-marijuana-is-legalized-in-north-dakota/>) post detailing how Measure 3 DOES NOT legalize "driving while high", the Legalize ND campaign sought the legal opinion of attorneys based on how the bill is currently structured to set the record straight. The unequivocal response was: NO. Measure 3 indeed does not.

"With all due respect to the hard-working officers in the North Dakota's Sheriff and Deputy Association, as well as the North Dakota Peace Officers Association, these claims are simply balderdash, and, in effect, a cesspool of misinformation," Legalize ND Strategist Cole Haymond stated.

The following are quotes from licensed attorneys Legalize ND sought legal opinions from:

"Driving under the influence of prescription medication is criminal if it's impaired. I doubt a court would read the Marijuana legalization measure as repealing a driving statute."

-Attorney Nicholas Sarwark, Former Colorado Deputy Public Defender

"I would say, looking at statutory construction rules, where the language might be ambiguous, you look at the intent and avoid invalidating another statute if possible. So Legalize ND's statement on the record that it is not intended to include driving under the influence, which can happen with any drug, legal or illegal, is not contemplated by your language should be determinative by a judge."

-Attorney Alicia Dearn, CEO, Bellatrix Law

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Lead Counsel Rating in Business Law

Manuel W. Wiley California Pro Bono Service Award | 2007-2008

"In short, the initiative only gets rid of penalties for nonviolent Marijuana offenses (meaning the consumption, production, and distribution of Marijuana). A crime like driving under the influence is not impacted based on the legality or illegality of an intoxicating substance, therefore the initiative does not impact drug driving laws. It neither directly amends the drug driving statute, nor does it repeal it by implication or application of the supremacy provision of the Marijuana initiative."

-Attorney Jordan Parker

Jordan Parker graduated cum laude from Tulane Law school in 2012 and has practiced as a civil litigator in San Diego, CA for 6 years. Mr. Parker is a current member of the California state bar.

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Legalize ND is the campaign in support of Measure 3, the North Dakota ballot initiative to legalize recreational Cannabis. For more information, visit LegalizeND.com