



Sheriff's Department



Robert Roed
Sheriff

April 7th, 2025

Chair Larson and members of the committee,

For the record my name is Jason Kraft, I am a Captain at the Ward County Sheriff's Department in Minot, and I am providing testimony in opposition of HB 1596.

The position of our agency is based upon the fact that this bill will decriminalize a schedule 1 controlled substance after 52.5% of the people voted on November 5th, 2024 to reject legalization. The measure was exactly 18,000 votes short. This is the third time voters have rejected recreational use since 2018.

In 2024, the Ward County Sheriff's Department made 84 arrests for simple marijuana possession. We made 103 for unlawful consumption of alcohol. Both are currently infractions.

We would also like you to consider the following situation if this bill becomes law. Two college students are riding in a vehicle that gets pulled over, both 20 years old. The first student has a couple of beers with them. The second student has a few joints. The student with the beer will be cited with a criminal infraction and have to appear in court, despite the fact that in less than a year they'll be able to possess alcohol lawfully. Student one will now have a criminal record. Student two. They receive a non-criminal citation, don't have to go to court and simply have to pay a \$150 fine. Their marijuana possession will not show up on a criminal history records check like the alcohol infraction will, even though in a year, marijuana will still be illegal to possess. This simply sends the wrong message. Marijuana should not be given a lesser penalty than possession of alcohol by a person under 21 years of age.

The way we currently handle these infractions in our jurisdiction imposes a minimal burden on the courts for simple possession. When they are cited for the infraction, we provide the arrestee a copy of what's called Rule 43 paperwork. This is paperwork from our State's Attorney that sets forth an agreement between the arrestee and the State's Attorney to accept a written guilty plea in exchange for a \$150 fine. All the person must do is take this paperwork to the State's Attorney, sign it, and then pay the \$150 fine.

This process respects the vote of the people that once again rejected the use of marijuana in our society while also avoiding disparity in penalties, and promoting judicial economy.

Sincerely,

Jason Kraft, Captain
Ward County Sheriff's Department