

JUVENILES

WHAT EVERY OFFICER SHOULD KNOW



Tricia Loehr – Assistant County Attorney

Tony Zdroik – Juvenile Division Head



ROADMAP

- Search juvenile at school
- Juvenile statements
- FERPA
- Cannabis laws



SEARCHING JUVENILES AT SCHOOL



SEARCH OF STUDENT/BACKPACK

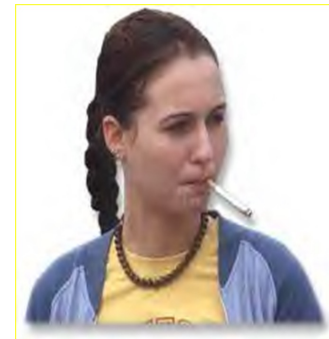
NEW JERSEY V. T.L.O. — U.S. 1985

- The 4th amendment against unreasonable searches/seizures applies to school officials and SRO
- Child's legitimate expectations of privacy v. schools equally legitimate need to maintain learning environment.
- What is reasonable?
- ~~Probable cause~~ / Reasonable Articulate Suspicion
 - (1) justified at inception and (2) reasonably related in scope



NEW JERSEY V. T.L.O. — U.S. 1985

- Teacher goes into girl's bathroom and smells smoke. Took T.L.O and another student to school office. Vice Principal searched purse and found smokes, cig papers, small amt. of MJ., a pipe, substantial amount of \$\$, and an index card listing students who owed her money.
- (1) Justified at inception – yes
 - Smells smoke
 - Identifies the two students in the bathroom
- (2) reasonable in scope – yes
 - T.L.O. had purse on her



STATE V. B.M.T., MINN. CT. APP, 2012

- Staff member overheard “drug talk” in substance-abuse school program
- While students at phy-ed, administration searched backpacks left in classroom
- Located pills, Tylenol with codeine in B.M.T.’s backpack
- (1) justified at inception –
 - No because based merely on unarticulated hunch
 - no specific students named, no specificity about possession, sale, use.
 - Must be a “sufficiently high probability that criminal conduct is occurring”
- (2) reasonably related in scope?
 - Doesn’t matter



CHANGES IN TOBACCO LAWS

- Possession of tobacco or a nicotine delivery devices is no longer prohibited by state statute. (August 1, 2020)
 - Youth should be deterred from tobacco use by education, not legal punishment.
- What to do?
 - Local or County Ordinances
 - Clean Indoor Air Act (M.S. 144.411)
 - Violation of school rule



SEARCH OF LOCKER — 121A.72

- School lockers are the property of the school district.
- Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant.
- The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.
- Student must be notified as soon as practicable after search unless it would impede ongoing investigation.



LOCKER SEARCH

- Lockers may be searched for any reason at any time
- Search of personal possessions inside locker requires reasonable suspicion
- Student of searched locker must be notified at some point



Reasonable Suspicion to
go into personal
belongings??



School administrators thought a student was dealing drugs out of his locker, they investigated and discovered he was making free sandwiches for students that couldn't afford school lunch.





INTERVIEWING JUVENILE SUSPECTS

IS JUVENILE IN CUSTODY?

- Whether, given the totality of circumstances, a reasonable person in the subject's position would have believed he was in custody to the degree associated with an arrest.
- Whether a reasonable juvenile under similar circumstances would believe he was in custody.



REASONABLE JUVENILE??



- YAAS
- BRAH
- RIZZ
- DRIP
- FAX
- SKIBITY
- GYATT
- DUPE
- MEWING
- SIGMA



IS JUVENILE IN CUSTODY?

- The totality of the circumstances examination determines whether a juvenile is in custody.
- All the factors will be examined, not just one factor.
 - “You are free to leave anytime.”



FACTORS FOR EVALUATING “IN-CUSTODY”

■ Factors - In custody

- Location of statement
 - SRO or principal's office
- Informing juvenile he is a suspect
- Restraint on the juvenile
- Presence of multiple officers
- Juvenile escorted to office
- Prior experience with LE
- Nature of interrogation

■ Factors - Not in custody

- Location of statement
 - Juvenile's home
- Inform juvenile he is not under arrest
- Juvenile leaves at end of interview
- Questioning is brief
- Juvenile has freedom to leave at any time
- Juvenile has ability to make a phone call or use bathroom



IN CUSTODY IN SCHOOL SETTING

- Principal's office/counselor's office
- School has its own set of rules for movement. These additional school rules may make the setting custodial.
- The “reasonable juvenile,” being aware of these rules controlling his movements, may well not be free to leave.
- When in doubt read Miranda
 - Juvenile's love to talk!!




MIRANDA

- What do I suggest for in-custody juveniles?
 - Read Miranda one question at a time
 - Ask if juvenile understands each question
 - Have the juvenile explain what the warning means question by question
 - Proceed with statement only when you are convinced juvenile understands
 - Record it



VOLUNTARINESS OF STATEMENT — WAS WILL OVERBORN?

- **Age and maturity**
 - **Education**
 - **Experience / ability to comprehend**
- 
- usually not in
our favor**
- the lack of or adequacy of a warning
 - Nature of interview including length
 - Were physical needs met
 - Was suspect denied access to friends/relatives



VOLUNTARINESS OF STATEMENT

- Age and maturity; Education; Experience and ability to comprehend often weigh against voluntariness of juvenile statements.
- Must show that despite the young age, lack of education, and experience, the juvenile is still able to comprehend what is going on.



VOLUNTARINESS OF STATEMENT

- What do I suggest regardless of custody?
 - Establish juvenile's maturity / intelligence / ability to comprehend
 - Grades - Failed classes
 - Graduation dates - Passed all grades
 - Working
 - Record it



PRESENCE OF PARENT

- Do parents have to be present?
 - The presence of a parent, or to allow a child to speak to a parent before questioning is not a constitutional right. But rather, a factor to be weighed in determining voluntariness.
- “No, but...”
 - Courts look heavily to this factor when evaluating the voluntariness of the statement



PRESENCE OF PARENT

- Things to consider
 - Age and/or maturity of the juvenile
 - Requests for parent
 - Requests of the parent
 - Availability of parent
 - Mental health/ability of juvenile

ME TO MY 13-YEAR-OLD (2018):

"Please don't smoke, drink, vape,
use weed, take pills, have sex,
cyber-bully, or eat Tide Pods."

MY MOM TO 13-YEAR-OLD ME (1983):

"Please don't bring your
Cabbage Patch doll to the dinner table."

fb/i Might Be Funny



FERPA — MN 13.32 EDUCATIONAL DATA.

- FERPA – Family Educational Rights and Privacy Act 20 U.S.C. § 1232g/34 CFR Part 99

Educational Data - data on individuals maintained by a public educational agency or institution or by a person acting for the agency or institution which relates to a student.

13.32, Subd. 3. **Private data; when disclosure is permitted.**

- to the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

13.32 Subd. 5. **Directory information.**

- Information designated as directory information pursuant to the provisions of United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which are in effect on January 3, 2012, **is public data** on individuals, to the extent required under federal law unless parents opt-out.
- Search warrant/subpoena - or call your City Attorney to call the school's attorney



M.S. 121A.58 CORPORAL PUNISHMENT; PRONE RESTRAINT; AND CERTAIN PHYSICAL HOLDS.

Subdivision 1. Definitions. Effective now.

- (a) For the purpose of this section, "corporal punishment" means conduct involving:
 - (1) hitting or spanking a person with or without an object; or
 - (2) unreasonable physical force that causes bodily harm or substantial emotional harm.
- **(b) For the purpose of this section, “employee or agent of a district” does NOT include a SRO as defined in 626.8482, subd.1(c)**
- (c) For the purpose of this section, "prone restraint" means placing a child in a face-down position.
- **§Subd. 2. Corporal punishment not allowed.**
- An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
- **Subd. 2a. Prone restraint and certain physical holds not allowed.**
- (a) An employee or agent of a district, ~~including a school resource officer, security personnel, or police officer contracted with a district,~~ shall not use prone restraint.
- (b) An employee or agent of a district, ~~including a school resource officer, security personnel, or police officer contracted with a district,~~ shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.



M.S. 626.8482 — SCHOOL RESOURCE OFFICERS - DUTIES

▪ Subd. 2. Duties

- (a) A school resource officer's contractual duties with a school district or charter school shall include:
 - (1) fostering a positive school climate through relationship building and open communication;
 - (2) protecting students, staff, and visitors to the school grounds from criminal activity;
 - (3) serving as a liaison from law enforcement to school officials;
 - (4) providing advice on safety drills;
 - (5) identifying vulnerabilities in school facilities and safety protocols;
 - (6) educating and advising students and staff on law enforcement topics; and
 - (7) enforcement of criminal laws.
- (b) A school district or charter school may contract with a school resource officer's employer for the officer to perform additional duties to those described in paragraph (a).
- (c) A school resource officer must not use force or the authority of their office solely to enforce school rules or policies or participate in the enforcement of discipline for violations of school rules.
- (d) Nothing in this subdivision limits any other duty or responsibility imposed on peace officers; limits the expectation that peace officers will exercise professional judgment and discretion to protect the health, safety, and general welfare of the public when carrying out their duties; or creates a duty for school resource officers to protect students, staff, or others on school grounds that is different from the duty to protect the public as a whole.



M.S. 626.8482 — SCHOOL RESOURCE OFFICERS - INSTRUCTION

- Subd. 3. Instruction required.
- (a) Except as provided for in paragraphs (b) to (d), **beginning September 1, 2025**, a peace officer assigned to serve as a school resource officer must complete a training course that provides instruction on the learning objectives identified in subdivision 4 prior to assuming the duties of a school resource officer.
- (b) A peace officer who has completed either the School Safety Center standardized Basic School Resource Officer Training or the National School Resource Officer Basic School Resource Officer course prior to September 1, 2025, must complete the training mandated under paragraph (a) before June 1, 2027. A peace officer covered under this paragraph may complete a supplemental training course approved by the board pursuant to subdivision 4, paragraph (b), to satisfy the training requirement.
- (c) If an officer's employer is unable to provide the required training course to the officer prior to the officer assuming the duties of a school resource officer, **the officer must complete the required training within six months of assuming the duties of a school resource officer**. The officer is not required to perform the duties described in subdivision 2, paragraph (a), clause (4) or (5), until the officer has completed the required training course. The officer must review any policy adopted by the officer's employer pursuant to subdivision 6 before assuming the other duties of a school resource officer and must comply with that policy.
- (d) An officer who is serving as a substitute school resource officer for **fewer than 60 student contact days within a school year is not obligated** to complete the required training or perform the duties described in subdivision 2, paragraph (a), clause (4) or (5), but must review and comply with any policy adopted pursuant to subdivision 6 by the law enforcement agency that employs the substitute school resource officer.
- (e) For each school resource officer employed by an agency, the chief law enforcement officer must maintain a copy of the most recent training certificate issued to the officer for completion of the training mandated under this section.



M.S. 626.8482 — SCHOOL RESOURCE OFFICERS - TRAINING

- Subd. 4. Training course. At a minimum, the learning objectives must ensure officers receive training on:
 - (1) the juvenile justice system;
 - (2) use of force, detention, arrest in school
 - (3) school employee use force standards
 - (4) de-escalation /least restrictive physical intervention strategies
 - (5) responding to a mental health crisis in a school setting
 - (6) understanding students with disabilities/special education
 - (7) juvenile brain development/impulse control
 - (8) the impact of childhood trauma on juvenile behavior;
 - (9) threats of violence against students and schools;
 - (10) juvenile exploitation;
 - (11) investigating crimes committed in schools, including student and parental rights;
 - (12) identifying vulnerabilities in school facilities and safety protocols;
 - (13) safety drills/best practices
 - (14) the topics identified in section 626.8469, subdivision 1 (crisis intervention, mental illness, conflict management, implicit bias, community diversity), as they pertain to juveniles or students.



M.S. 169.905 — TRAFFIC STOP — LIMITED QUESTIONING — EFFECTIVE NOW

- Cannot ask driver if they know why they were stopped
- Must tell driver why they were stopped unless unreasonable to do so under the totality of circumstances
- Failure to comply with this section MUST NOT serve as a basis for exclusion of evidence or dismissal



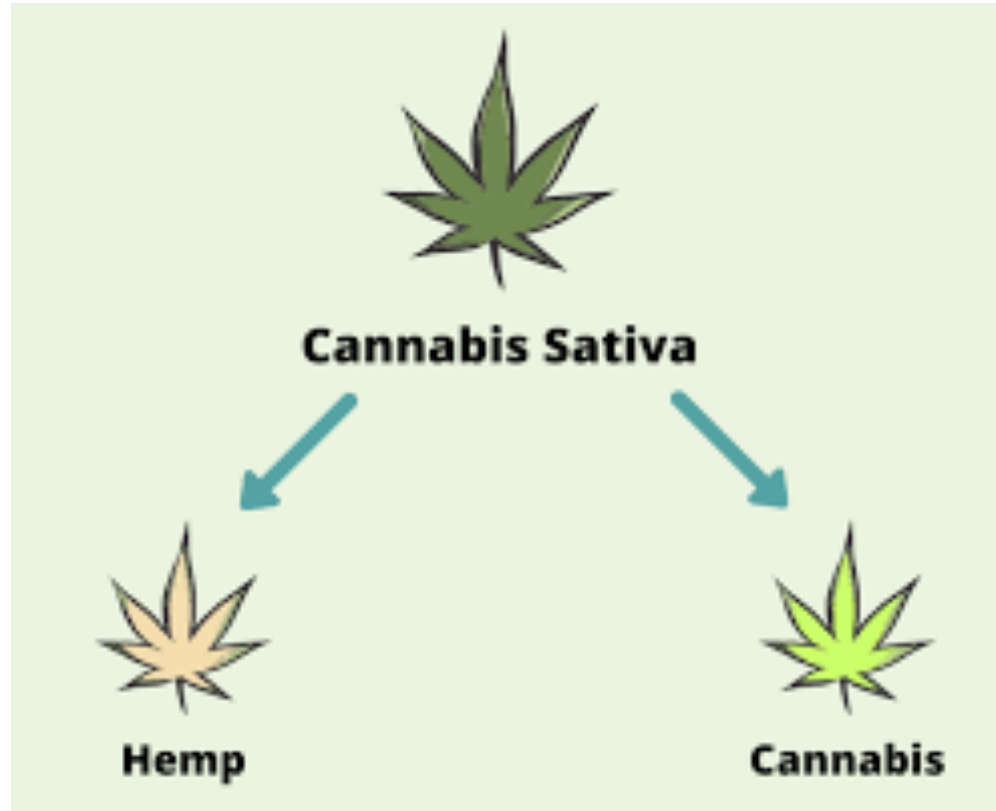
CANNABIS — IT'S A TRIP



Hemp v. Marijuana

Industrial Hemp = good

No more than .3% Delta
9 THC
Delta 8 THC

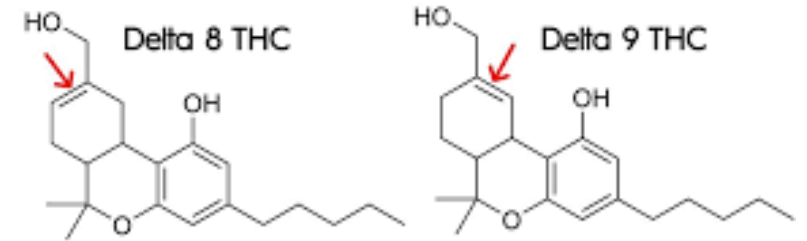


Marijuana = bad
Delta 9 THC – more
than .3%
Delta 8 THC



WHAT IS DELTA 8 AND DELTA 9 AND WHY DO I CARE

Double Bond in Delta 8
and Delta 9 THC



Both delta-8 and delta-9 THC are naturally found in hemp and marijuana, and chemically, the two compounds are very similar.

All that separates them is the location of a double bond, found on the eighth carbon in delta-8 THC and the ninth carbon in delta-9.

As far as scientists know, all forms of THC bind to cannabinoid receptors in the body's endocannabinoid system, which is what produces a high. However, due to the location of its double-bond, delta-8 binds to those receptors in a slightly different manner than delta-9 THC, making it less potent.



2018 FEDERAL FARM BILL/MN 2022 HEMP LAW

- Legal in MN to purchase and possess certain Hemp Cannabis products
- Law allows purchase and possession of hemp derived products (vape) containing no more than 0.3 percent Delta 9 THC
- Hemp Eedibles may not contain more than five milligrams of Delta 9 THC per serving, and no more than 50 milligrams Delta 9 THC per package.
- No one under age 21 can purchase the products....but no penalty for possession



- Living THC-O Birthday Cake Disposable Vape. Each 2ml vape disposable contains a blend of live-resin infused THC-O (30%), **Delta 8 distillate (60%)**, CBD (8%) and Birthday Cake terpenes. Our THC-O + Delta 8 Vape Disposables comply with the 2018 US Farm Hemp Bill, containing less than 0.3% Delta 9 THC.





Hemp =
5 beers

Marijuana =
1 shot



8/1/2023 — WELCOME TO THE LAND OF 10,000 LAKES AND MARIJUANA DISPENSARIES



HEMP CONCENTRATE — HEMP WAX/OIL

DELTA 8 VAPE

- The extracts and resins of a hemp plant or hemp plant parts;
- The extracts or resins of a hemp plant or hemp plant parts that are refined to increase the presence of targeted cannabinoids; or
- A product that is produced by refining extracts or resins of a hemp plant or hemp plant parts and is intended to be consumed by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product



EDIBLE/LOW POTENCY HEMP

- contains hemp concentrate or an artificially derived cannabinoid (DELTA 8), in combination with food ingredients;
- Each **serving** contains **no more than five milligrams of delta-9 THC, 25 milligrams of cannabidiol (CBD), 25 milligrams of cannabigerol (CBG)**, or any combination of those cannabinoids that does not exceed the identified amounts;
- does not contain more than a **combined total of 0.5 milligrams of all other cannabinoids per serving**;
- Each package contains no more than **50 Mg delta-9 THC, 250 Mg cannabidiol (CBD), 250 Mg of cannabigerol (CBG)**;
- does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- does not contain a cannabinoid derived from cannabis plants or cannabis flower



CANNABIS FLOWER — LEAF MARIJUANA

- The harvested flower, bud, leaves, and stems of a cannabis plant.
- Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products



CANNABIS CONCENTRATE — MARIJUANA WAX/OIL

- The extracts and resins of a cannabis plant or cannabis flower (marijuana plant)
- The extracts or resins of a cannabis plant or cannabis flower that are refined to increase the presence of targeted cannabinoids; or
- A product that is produced by refining extracts or resins of a cannabis plant or cannabis flower and is intended to be consumed by combustion or evaporation of the product and inhalation of smoke, aerosol, or vapor from the product
- Does not include – hemp concentrate, artificially derived cannabinoid, or hemp-derived consumer products.



PERSONAL ADULT USE MARIJUANA

MINN. STAT. §342.09

(21+)

POSSESS

- use/possess/transport paraphernalia
- 2 ounces or less leaf marijuana in public
- 2 lb. or less leaf marijuana at home
- 8 grams or less concentrate in public (oil/wax)
- possess/transport a total of 800 milligrams of THC in marijuana/hemp edibles in public

GIVE FOR FREE (21+)

- 2 ounces or less of adult-use cannabis flower;
- 8 grams or less of adult-use cannabis concentrate; or
- an edible cannabis product or lower-potency hemp edible infused with 800 milligrams or less of tetrahydrocannabinol

WHERE CAN YOU USE?

- private property – unless prohibited by owner



MINN. STAT. §342.09 — JUVENILES/SCHOOLS??

- An individual may not (medical exception):
 - (1) use, possess, or transport cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products if the individual is **under 21 years of age**;
 - (3) use cannabis flower, cannabis products, or hemp-derived consumer products in a manner that involves the **inhalation of smoke, aerosol, or vapor at any location where smoking is prohibited under section 144.414 (clean air act/PM)**
 - (4) **use or possess** cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products **in a public school**, as defined in section 120A.05, subdivisions 9, 11, and 13, or in a charter school governed by chapter 124E, including all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls;
- Subd. 6. Violations; penalties. (a) In addition to penalties listed in this subdivision, a person who violates the provisions of this chapter is subject to any applicable criminal penalty.



§152 AMENDMENTS

Possession Crimes

- 1st Degree – 30 years/\$1,000,000
 - 50 kilograms or more of leaf marijuana
 - 10 kilograms or more of marijuana concentrate
 - Edible marijuana products, lower-potency hemp edibles, hemp-derived consumer products, or any combo of those infused with more than one kilo of THC – PRODUCTS COMBINED

- 2nd Degree – 25 years/\$500,000
 - 25 kilograms or more of leaf marijuana
 - 5 kilograms or more of marijuana concentrate
 - Edible, low-potent hemp, hemp products, or any combo infused with more than 500 grams THC – PRODUCTS COMBINED

48 Kg



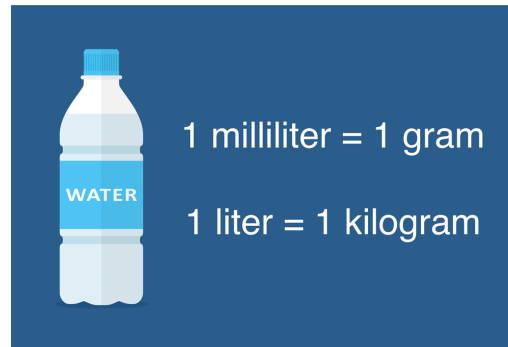
25.9 Kg



§152 AMENDMENTS

Possession Crimes

- 3rd Degree – 20yrs/\$250,000
 - 10 kilograms or more of leaf marijuana
 - 2 kilograms or more of marijuana concentrate
 - Edible marijuana products, lower-potency hemp edibles, hemp-derived consumer products, or any combo of those infused with more than 200 grams of THC – PRODUCTS COMBINED
- 10 Kg 2 x 1 liter bottles (oil/wax)



§152 AMENDMENTS

- Repealed all marijuana drug sale crimes



Replaced with new Marijuana sale law 152.0264

- Repealed 4th degree marijuana possession
- Repealed 5th degree marijuana possession



Replaced with new Marijuana possession law 152.0263



CANNABIS (MARIJUANA) SALE CRIMES

§ 152.0264

- 1st degree – only applies to adults
 - 5 years/\$10,000
 - More than 2 ounces leaf marijuana
 - More than 8 grams marijuana concentrate
 - Edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol:
 - (1) to a minor and the defendant is more than 36 months older than the minor;
 - (2) within ten years of two or more 2nd degree or 3rd degree convictions; or
 - (3) within ten years of a 1st degree sale conviction



CANNABIS (MARIJUANA) SALE CRIMES

§ 152.0264

- 2nd degree –only applies to adults
 - 364 days/\$3,000 (GM)
 - (1) sell to adult
 - More than 2 ounces leaf marijuana
 - More than 8 grams marijuana concentrate
 - Edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol: - **PER PRODUCT**
 - (i) in a school zone, a park zone, or a drug treatment facility; or
 - (ii) within ten years of a cannabis sale conviction OR
 - (2) unlawfully sells any amount to minor
 - cannabis flower, cannabis concentrate, edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products



CANNABIS (MARIJUANA) SALE CRIMES

§ 152.0264

- 3rd degree –only applies to adults
 - 90 days/\$1,000 (M)
 - More than 2 ounces leaf marijuana
 - More than 8 grams marijuana concentrate
 - Edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol: - **PER PRODUCT**
- 4th degree – only applies to adults
 - \$300 (PM)
 - less than 2 ounces leaf marijuana
 - less than 8 grams marijuana concentrate
 - Edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with less than 800 milligrams of tetrahydrocannabinol - **PER PRODUCT**



CANNABIS (MARIJUANA) SALE CRIMES

§ 152.0264 — SALE BY MINOR

- sale by minor
 - (a) a minor is guilty of a petty misdemeanor, \$300 (PM), if they sell
 - (1) 0- 2 ounces of leaf marijuana;
 - (2) 0- 8 grams of marijuana concentrate; or
 - (3) edible marijuana products, lower-potency hemp edibles, or hemp-derived consumer products infused 0- 800 milligrams of THC. – PER PRODUCT
 - (b) A minor is guilty of a misdemeanor (M) if the minor unlawfully sells:
 - (1) 2.1 + ounces of leaf marijuana
 - (2) 8.1 + grams of marijuana concentrate; or
 - (3) edible marijuana products, lower-potency hemp edibles, or hemp-derived consumer products infused 800 + milligrams of THC. – PER PRODUCT



CANNABIS (MARIJUANA) POSSESSION CRIMES 152.0263

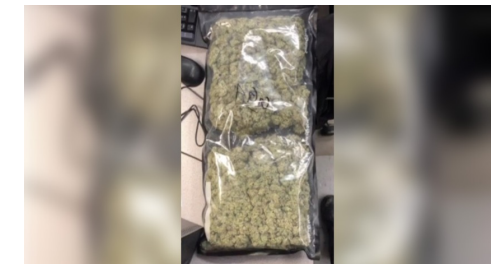
- 1st degree –

- 5 years/\$10,000 (F)
 - More than 2 pounds > 10 kilograms cannabis flower
 - More than 160 > 2 kilograms of cannabis concentrate **7 kg**
 - Edible marijuana/low potency hemp infused with more than 16 grams > 200 grams THC – **PER PRODUCT**



- 2nd degree –

- 364 days/\$3,000 (GM)
 - More than 1 lb > 2lb, leaf marijuana not in residence
 - More than 80 grams > 160 grams marijuana concentrate
 - Edible marijuana, hemp edibles, hemp products infused with more than 8 grams > 16 grams THC – **PER PRODUCT**



CANNABIS (MARIJUANA) POSSESSION CRIMES 152.0263

- 3rd Degree –

- 90 days/\$1,000 (M)
 - More than 4 ounces leaf marijuana not in residence
 - More than 16 grams > 80 grams marijuana concentrate
 - Edible marijuana, hemp edibles, hemp products infused with more than 1,600 > 8 grams THC –
PER PRODUCT



- 4th Degree –

- No more than \$300 (PM)
 - More than 2 ounces leaf marijuana not in residence
 - More than 8 grams > 16 grams marijuana concentrate
 - Edible marijuana, hemp edibles, hemp products infused with more than 800 > 1,6000 milligrams THC – **PER PRODUCT**



NAME THAT CRIME

- Student at school possesses vape pen with 930 MG Delta 8
- 4th Degree –
 - No more than \$300 (PM)
 - More than 2 ounces leaf marijuana not in residence
 - More than 8 grams > 16 grams marijuana concentrate
 - Edible marijuana, hemp edibles, hemp products infused with more than 800 milligrams but not more than 1,600 milligrams THC – **PER PRODUCT**



NAME THAT CRIME



- 1 gram/1,000 mg Delta 10 THC
- 4th Degree ??
Yes
 - Edible marijuana, hemp edibles, hemp products infused with more than 800 milligrams but not more than 1,6000 milligrams THC – PER PRODUCT



NAME THAT CRIME



- Bag of THC cookies 500 mg THC total
- Juvenile found with 1 bag in backpack
- 4th Degree ??
- NO
 - Edible marijuana, hemp edibles, hemp products infused with **more than 800** milligrams but not more than 1,600 milligrams THC – **PER PRODUCT**



NAME THAT CRIME



- Bag of THC cookies 500 mg THC total
- Juvenile found with 3 bags in backpack
- 4th Degree ??
 - NO
 - Edible marijuana, hemp edibles, hemp products infused with more than 800 milligrams but not more than 1,6000 milligrams THC – **PER PRODUCT**

BUT – 342.09

- **No use/possess under 21 years of age;**
- **No use/possess in a public school**
- **What's the penalty??**



WHAT DO YOU DO?

- Illegal to possess any hemp/marijuana products under 21
- Illegal for minor to sell any hemp/marijuana products
- Seize drugs – contraband
- If vape pen/edible - try to find out what it consists of and how much
 - Internet
 - Take pictures
- If leaf – weigh and see if criminal amount/BCA
- Talk to your County Attorney/City Attorney – we're all in this together



THANK YOU!

Tricia Loehr

Assistant Washington County Attorney

Tricia.Loehr@co.Washington.mn.us

651-430-6133

Tony Zdroik

Juvenile Division Head

Tony.Zdroik@co.Washington.mn.us

651-430-6074

