



The Navajo Nation Office of the President and Vice President

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Navajo Nation clarifies the legal definition of “marijuana” and creates new civil forfeiture provisions for violators

WINDOW ROCK, Ariz. – On Monday, Navajo Nation President Jonathan Nez and Vice President Myron Lizer signed into law Resolution CS-76-20, which amends the Navajo Nation Criminal Code to clarify the legal definition of “marijuana,” and to allow for the civil forfeiture of property, for individuals found liable for offenses related to the possession, manufacturing, transportation, sale, use, trade, or delivery of marijuana. The new provisions also require Navajo Nation officials convicted of violating marijuana offenses to forfeit employment or elected office.

“With this resolution, we are sending a clear message to all Navajo Nation residents and visitors, officials, and those in elected office that you will be held accountable for possessing, manufacturing, transporting, selling, using, trading, and delivering marijuana on the Navajo Nation. Those convicted of such offenses will have to forfeit the marijuana, and all Navajo Nation officials including employees and elected officials will have to forfeit their employment or public office. We will continue to stand up for our communities against those who attempt to circumvent and manipulate our laws,” said President Nez.

With 16 supporting votes and five opposing, the 24th Navajo Nation Council approved the new amendments to the Navajo Nation Criminal Code on Sept. 24, 2020.

Under the definitions of “controlled substances,” marijuana is now defined as “all parts of the plant cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of



PHOTO: Navajo Nation President Jonathan Nez, Attorney General Doreen N. McPaul, and Navajo Nation EPA Executive Director Oliver B. Whaley met with Navajo farmers in and near Shiprock, N.M. on Sept. 3, 2020.

such plant, its seeds or resin, containing any amount of delta-9 tetrahydrocannabinol. Such term excludes any part of the plant cannabis sativa L., whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis produced or delivered in accordance with an industrial hemp regulatory system approved by the Navajo Nation Council or pursuant to the pilot project created by CJN-24-19 and any extensions.”

Under Resolution CJN-24-19, which was approved by the Council in June 2019, the Navajo Nation authorized Navajo Agricultural Products Industry to conduct a hemp pilot project with New Mexico State University under the provisions of the 2014 Farm Bill.

“We understand the economic potential of hemp production, but it must be done safely and in accordance with the laws of the Navajo Nation. Resolution CS-76-20 provides a future of economic development with industrial hemp production on terms approved by our lawmakers and the Office of the President and Vice President,” stated Vice President Lizer.

The Nez-Lizer Administration thanks the Navajo people, 24th Navajo Nation Council, Navajo Nation Department of Justice, Navajo Police Department, and many others for helping to keep our families, communities, and our Nation safe.

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