

Boston Trial Attorney John S. Scheft of Bellotti Law Group Argues Before SJC that Public Was Misled on MA Marijuana Ballot Question

Boston Trial Attorney John Scheft of Bellotti Law Group argues before state's highest court that key information in the proposed law to legalize marijuana was misleading to Massachusetts' voters.



Boston, Massachusetts – In a historic appeal on the marijuana ballot question, the state's highest court heard arguments from opponents who say that the petition was misleading to Massachusetts' voters.

Under the proposal, Massachusetts' residents 21 or older would be allowed to possess up to one ounce of marijuana for recreational use. The proposal would also allow for the commercial sale of the drug.

Representing 59 Massachusetts' residents opposing the ballot question, Attorney John Scheft of Bellotti Law Group argued before the Supreme Judicial Court on Wednesday in a bid to block the question on legal marijuana from the November ballot. Attorney Scheft told the court that the language of the proposal to legalize recreational marijuana was too vague and failed to inform voters about the potency of the products that could become legal. He further explained that while the law claims to be legalizing marijuana, it instead was asking voters to also legalize concentrated forms of marijuana, such as "hashish" and other resins and extracts.

"The things that are being sold and used are not the leafy green, natural grown substance called marijuana that voters are being misled to believe is involved in this law," Attorney Scheft said.

The lawsuit, which was filed with the Supreme Judicial Court last month, also states that the voters were not told about how the law would allow for high concentration of THC, the psychoactive ingredient in marijuana, to be added to food and beverages. If the law were to be approved, it would be the first time in Massachusetts that a known drug such as THC would be intentionally added to cookies, candy and other food items sold in the state. These food products, commonly known as "marijuana edibles," can be particularly dangerous to adults and children because they are intentionally made to look like other well-liked desserts and treats.

Attorney Peter V. Bellotti, head of Bellotti Law Group, commented, "These are two powerful arguments that we felt we had to bring to the Supreme Court's attention."

During oral arguments heard on June 8, 2016, several of the justices—led by Justice Robert Cordy—were particularly troubled to learn that that term "marijuana products"

could include the infusion of high levels of THC into edibles and beverages sold to the public.

The seven-member court did not immediately rule on the challenges.