

Mother of Barry County deputy who died in 2008 crash says marijuana is not 'harmless' drug

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By **John Tunison | The Grand Rapids Press**

HASTINGS -- As she talked about the emotional devastation from an October 2008 crash that killed her police officer son, Patricia Thiery did not hesitate to delve into political controversies of marijuana use.

Justin Malik, the driver who turned into the path of an oncoming motorcycle driven by her son, Chris Yonker, had marijuana in his system.

"Many people believe that marijuana is a harmless recreational drug," Thiery said in a Barry County courtroom Thursday before Malik was **sentenced for two felonies**.

"Even though marijuana does have beneficial medical applications, ask both of these families involved in this case whether marijuana is harmless.

"Both families have been deeply wounded by Justin's bad choices," she said.

Malik had 4 nanograms of THC, the active drug in marijuana, in his bloodstream after his car collided with the off-duty Yonker on M-43 near Usborne Road. He also had been drinking, but his blood-alcohol level was 0.01, well below the 0.08 standard for being drunk.

Malik, sentenced to five to 15 years in prison on charges of impaired driving causing death and driving with a suspended license causing death, admitted to smoking marijuana about 5 hours before the crash. His attorney argued it wasn't enough THC to cause impairment.

Barry County Circuit Court Judge James Fisher told Malik he takes issue with Michigan's marijuana laws when it comes to gauging impairment, but said he must account for Malik's "terrible" driving and criminal



Justin Malik

record.

Malik, 27, was convicted of auto theft, driving with a suspended license and drunken driving at 17, two minor-in-possession cases at 18 and 19 and a second drunken-driving charge at 19, the judge said.

Mother of officer killed in 2008 crash reacts to sentencing of Justin Malik

Justin Malik was sentenced to 5 to 15 years for killing Chris Yonker.

"I know this was not an intentional act on your part," Fisher said about the 2008 crash, "but who could not look at your

record and not expect this outcome."

Thiery, Yonker's mother, talked emotionally about her son's death and the impact on his wife and five children as she addressed Malik before he was sentenced.

"Justin, these children do not have a father," she said. "They will miss Chris at graduations, weddings and births. Their children will never have a grandfather.

"No sentence is long enough to bring Chris back. The hole in our heart and life will never go away," she said.

Malik, when given a chance to speak, told Thiery and Yonker's family that he changed his life after the crash. He is now a medical assistant at an outpatient clinic and has two young children.

"I can't do anything to bring (Yonker) back. The only thing I can do is turn to God, which I have. I pray for his family almost every night," Malik said. "The whole accident woke me up. If it hadn't happened, I probably would be going down a worse path now."

Outside the courtroom, Thiery said only time will tell if Malik has changed his life.

"This young man made so many bad choices in life and he really needed a jolt to have him change his choice pattern," she said. "I feel for his family and I feel for him and his wife, but my son is gone and part of this whole system is honoring his life as well."

Thiery said she will remember her son as a "good kid" who simply loved his job.

E-mail John Tunison: jtunison@grpress.com

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