

## Bill to decriminalize small amount of marijuana gets N.J. Assembly committee hearing

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By **Matt Friedman/Statehouse Bureau**

By

**TRENTON** — Getting caught with a small amount of marijuana would be akin to getting a traffic ticket under a bill that is up for consideration by an Assembly panel on Monday.

The measure before the Assembly Judiciary Committee, which has bipartisan sponsorship, would replace criminal penalties with fines for those caught with less than 15 grams of marijuana — or enough for more than 30 joints.

Too far out there? According to Roseanne Scotti, state director for the Drug Policy Alliance, it's the furthest a bill to decriminalize marijuana has ever gotten in the New Jersey Legislature.

"We think it's a wonderful first step," Scotti said. "There are so many consequences for people who have a drug conviction. You have a drug crime on your record. It can affect your student loans, your employment in addition to the public stigma that goes with being dragged into court on a charge like this."

For now it's unclear whether the measure could make its way through the full Legislature, let alone past Christie's desk. A spokesman for the governor did not return a call seeking comment.

But several Assembly members said it was high time the state decriminalize possession of the drug, and a spokesman for Assembly Speaker Sheila Oliver (D-Essex) said she intended to let the bill receive a full Assembly vote if it advanced that far.

Currently, those caught with small amounts of marijuana for personal use face up to six months in jail and a \$1,000 fine, in addition to a possible driver's license suspension and hundreds of dollars in court fees.

Under the proposed legislation, a first offense would draw a \$150 fine, a second offense a \$200 fine, and a third \$500. In addition, violators under 21 caught with marijuana or adults busted three times would have to attend a drug education program. Those caught with paraphernalia would face a \$100 fine.

Fourteen states have already decriminalized the possession marijuana, including New York and Connecticut, according to the National Organization for the Reform of Marijuana Laws, though it remains a crime on the federal level.

The bill (**A1465**), first introduced by Assemblyman Reed Gusciora (D-Mercer), has 18 sponsors: 15 Democrats and three Republicans.

State Sen. Nicholas Scutari (D-Union) said he introduced a more lenient measure, fining offenders \$50 for possession of up to 50 grams regardless of the number of times they're caught.



John Munson/The Star-Ledger

Assemblyman Reed Gusciora (D-Mercer) has introduced a measure that would decriminalize marijuana possession.

Still, he said, "I'm not pushing the bill hard, only because we need to concentrate on the medical marijuana program that's not even off the ground yet."

Assemblywoman Mary Pat Angelini (D-Union), who runs an anti-drug education program in Monmouth and Ocean Counties called Prevention First, said many of the groups that supported medical marijuana legislation really wanted to decriminalize it altogether.

"I truly see this as a slow domino effect," Angelini said. "So I think the fact that we got medical marijuana passed, I think this is the next logical step in their minds."

David Evans, executive director of the Drug-Free Schools Coalition, who opposes the legislation, called the \$150 fine meaningless.

"Now that we have made medical marijuana available, we already have a tough time in schools with kids who come to us and say it's medicine and it's good for you. Now the state is going to say not only is it good for you but we don't care if you smoke it or not."

A Rutgers-Eagleton poll in November found 58 percent of New Jersey residents think penalties for marijuana possession should be reduced, while 55 percent say they should be entirely eliminated.

Gusciora, the bill's prime sponsor, said the state's current law is "unworkable."

"We're making criminals out of a lot of young people for simple possession of marijuana," said Gusciora, a municipal prosecutor. "The punishment really does not fit the crime."

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