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## Panel approves bill to decriminalize small amounts of pot

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by Dave Levinsky

TRENTON — New Jersey is a step closer to becoming the nation's 15th state to decriminalize the possession of small amounts of marijuana after a panel of lawmakers voted to approve a measure that would downgrade possession of 15 grams or fewer.

In an unusual show of bipartisan support, all seven lawmakers on the Assembly Judiciary Committee voted for the bill, which would change the possession of 15 grams or fewer from a criminal offense that carries a \$1,000 fine and up to six months in jail to a civil one that carries fines but is not made a permanent part of an offender's record.

Under the bill, a first-time offender would face a civil penalty of \$150, a second violation would cost \$200, and a third or subsequent offense would be \$500.

The bill also would change the penalty for possession of marijuana paraphernalia, such as a pipe or rolling papers, to a \$100 civil penalty, and would eliminate the penalty for being under the influence of marijuana or possession of small amounts in a motor vehicle.

Fourteen other states have made similar changes, including New York and Connecticut, officials said.

Supporters said the change would make the punishment fairer, and allow law enforcement and criminal courts to devote more time and resources to more serious crimes.

"I come from a law enforcement family ... but criminal penalties for small amounts (of marijuana) doesn't make sense," Assemblyman Peter Barnes, D-18th of Edison, said Monday at the onset of the hearing.

Barnes, who is chairman of the Judiciary Committee, is one of more than a dozen co-sponsors of the bill, which also boasts the likes of liberal Democrat Reed Gusciora, D-15th of Trenton, as well as conservative Republican Michael Patrick Carroll, R-25th of Morris.

"The harm to society, if it exists at all, is de minimis," Carroll said.

The majority of New Jersey residents agree, according to a statewide poll conducted in November by the Rutgers-Eagleton Institute of Politics. Fifty-five percent of those polled favored eliminating the penalties for possession of small amounts of pot.

Roseanne Scotti, New Jersey director for the Drug Policy Alliance, noted that poll as well as so-called "collateral consequences" that those with marijuana possession convictions face, including difficulties in obtaining jobs, loans and public housing.

"The punishment doesn't fit the crime," Scotti said.

Other supporters argued that minorities are disproportionately charged with marijuana possession than white people who use the drug, and that more than two years' worth of delays in the implementation of New Jersey's medical marijuana program has forced some patients with debilitating illnesses or conditions to grow the drug themselves or obtain it illegally.

"No patient should ever have to go to jail for listening to their doctor," said Ken Wolski, director of the Coalition for Medical Marijuana-New Jersey.

But opponents said reducing penalties for possessing even small amounts of pot sends a message to children that using the drug is OK.

"The bill implies that 15 grams of marijuana is a small amount. ... It's 37 joints," said Bruce Hummer, an advocate with the New Jersey Prevention Network "(Decriminalization) creates a perception among our youth that marijuana is safe and unharmed."

Joseph Conlin, a retired police officer who is the program coordinator for Prevention Plus of Burlington County, a nonprofit group dedicated to fighting drug,

alcohol and tobacco addiction, said it's a dangerous stance because children who try marijuana often move on to prescription drugs or other street drugs.

"It's a gateway drug. That's what we hear from our kids," Conlin said.

The Judiciary Committee's approval permits the bill to be posted for vote before the full Assembly, but a companion measure has yet to be introduced in the Senate.

Republican Gov. Chris Christie has not indicated whether he supports decriminalization, although he has pushed for legislation to mandate treatment for nonviolent drug offenders rather than incarceration. His press office declined to comment Monday.

The decriminalization bill mandates that anyone under age 21 who is caught with marijuana would have to undergo a drug education program. Offenders over 21 would have to attend an education program following their third offense.

Conlin said increasing treatment opportunities for offenders is a better way of assisting them than decriminalizing the offense.

"Right now, it's really tough to get into treatment programs, so mandating any type of treatment is a good thing," he said.

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