



Guidance for New Jersey Decriminalization Bill Hearing

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What: Assembly Community Development and Affairs Public Hearing, A. 1897 — to decriminalize possession of 10 grams or less

Where: Committee Room 11, 4th Floor, State House Annex, Trenton, New Jersey. Due to the public health emergency, the State House Annex remains closed to visitors, and the public will not be allowed to attend the meeting in person. See below for details on how to make your voice heard remotely.

When: Monday June 15, 2020 at 10:30 a.m. **Deadline to sign up for oral testimony is Sunday June 14, 2020 at 3:00 p.m.**

How: The public is encouraged to submit testimony electronically in lieu of oral testimony.

Written testimony will be included in the committee record and distributed to the committee members. Written testimony should be submitted to OLSAideACD@njleg.org.

To register your position with the committee, you should fill out [this registration form](#). If you wish to testify orally (which will be by phone or video), check the box on the form that says, “Do you wish to testify?” **The form must be submitted by Sunday June 14, 2020 at 3:00 p.m.** The committee will follow up with you with details on how to participate. Testimony is limited to three minutes.

Tips:

- The committee is chaired by Assemblywoman Shavoda E. Sumter. The committee vice chair is Assemblywoman Britnee N. Timberlake.
- Witnesses are limited to three minutes, plus any questions from committee members.
- If you don't know the answer to a question, that's okay! You can note that another witness — such as an MPP staffer — should be able to respond to the question.

A.1897 — Short Summary:

- The bill is sponsored by Assemblyman Benjie E. Wimberly and Assemblyman Jamel C. Holley.

- Reduces possession of 10 grams or less of marijuana, including regulated marijuana-infused product or one gram or less of marijuana concentrate, to a civil penalty. Fine of \$150 for first violation, \$200 for second violation, and \$500 for third or subsequent violation.
 - Reduces possession of more than 10 grams but less than 50 grams, more than a personal-use amount of regulated marijuana-infused product but less than two times a personal amount of regulated marijuana-infused product, or more than one gram but less than five grams of marijuana concentrate to a disorderly persons offense, punishable by up to a \$1,000 fine and six months in jail.
 - Adds possession of more than five grams of marijuana concentrate or two times a personal-use amount of regulated marijuana-infused product as a fourth degree crime, punishable by a term of imprisonment of up to 18 months, a \$25,000 fine, or both. Gives court discretion to waive penalties in case of extreme financial hardship and other circumstances.
 - Removes penalties for being under the influence of marijuana.
 - Eliminates penalty for operating a motor vehicle while in possession of 10 grams or less of marijuana, marijuana-infused product, or one gram or less of concentrate.
 - Removes requirement to deliver marijuana to nearest law enforcement for possession of 10 grams or less of marijuana, marijuana-infused product, or one gram or less of concentrate.
 - Reduces penalty for drug paraphernalia for use of 10 grams or less of marijuana, marijuana-infused product, or one gram or less of concentrate to a civil penalty of \$100.
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Talking Points:

We've provided some talking points below. However, it is advisable to avoid too much repetition. (Briefly making a few key points that other witnesses have made can be worthwhile, though.) If you know individuals whose lives were negatively impacted by cannabis prohibition, sharing those stories can also be quite powerful.

- Marijuana prohibition has failed New Jersey. New Jersey wastes more than \$143 million per year to enforce marijuana possession laws. Throughout the past decade, New Jersey has spent more than \$1 billion to enforce these laws. These are resources that could be invested in treatment, education, prevention, or other community needs.
- Police make a marijuana possession arrest in New Jersey on average every 22 minutes. According to a 2017 ACLU study based on data from the FBI Uniform Crime Reporting Program, New Jersey is making more arrests for marijuana possession than ever, in a manner that is more racially disparate than ever.
- A recent Monmouth University poll revealed that 61% of respondents would vote in favor of legalizing and taxing marijuana in New Jersey.
- Decriminalizing marijuana in the interim is essential to ensuring that thousands are New

Jerseyans are not subjected to humiliating, life-altering arrests while waiting for the opportunity to legalize marijuana at the ballot box, and for that law to be implemented legislatively.

- Assembly Bill 1897 should be strengthened and advanced. The amount of cannabis covered — a mere 10 grams — is less than most other decriminalization and legalization states, and the fines are beyond the reach of many, especially due to the devastating financial effects of COVID-19. Virginia recently passed a far more reasonable law, decriminalizing up to an ounce and imposing a \$25 fine.
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