

State of New Jersey

Governor Phil Murphy

ICYMI: New Jersey Leaders Advocate for Marijuana Legalization and Expungement Legislation

03/21/2019

"I want to speak to those who might be on the fence. I don't know if you have been arrested for marijuana. Please, get on the right side, so we can make history, so that our young men and women can get on with their lives. It all depends on that vote Monday. Please, we need your help. This Governor is working hard, with the legislature, to make a difference. We need your vote Monday, so our family members can begin to live again." – **Reverend Steffie Bartley**

"This bill is a major first step in dismantling and abolishing the "drug" war on black and brown people. Thousands of people will reap the benefit of vacated or reduced sentences and expunged records. By all estimations that is liberation and transformation." – **Reverend Charles Boyer**

"The criminalization of marijuana has done real damage to lives, families and whole communities among people of color in this country. When it comes to drug use and addiction, we have frequently and mistakenly used the criminal justice system with Black and Brown people, while seeking treatment, leniency and healthcare for White users. I'm glad to see our state's elected leaders stepping up to address the disparities that marijuana has created in our criminal justice system with the inclusion of strong social justice components in their proposal to legalize marijuana in New Jersey, and I am especially grateful for Governor Murphy's leadership. Marijuana use is the same between Black and White Americans, yet Black people are nearly four times more likely to be arrested – and with that arrest, they suddenly face consequences like losing eligibility for affordable housing, access to jobs, and even financial aid for college. The inclusion of expungement mechanisms for low-level marijuana offenses will help hundreds of thousands of New Jerseyans regain access to critical tools that will allow them to achieve economic security, and the path to vacated convictions provided in this measure will finally address the circumstances of thousands of people serving sentences for low-level marijuana offenses. This legislation is the nation's most comprehensive effort to correct the years of well-documented bias in marijuana enforcement. I'm proud to once again point to our state as a model for social justice measures across the country, and look forward to seeing this measure become law." – **Congresswoman Bonnie Watson Coleman**

"If we have learned anything at all, it is that the status quo has been disproportionately unfair to minority communities. This bill is a step in the right direction to correct that inequality." – **Assembly Speaker Craig Coughlin**

"I fully support the legalization of adult use marijuana because of the transformational impact it will have on social justice and civil rights for almost 200,000 people. We have not seen this kind of positive social justice impact in our state's history. Finally, there is true criminal justice reform." – **Reva Foster, Chairwoman of the New Jersey Black Issues Convention**

"As black lawyers, we are always acutely focused on issues of social justice and civil rights. And the social justice elements here cannot get lost on us. As it has been mentioned, people of color have been disproportionately affected by the war on drugs for decades. It has resulted in systemic racial and social justice inequities for black and brown people. So, while we support legalization, we must also support decriminalization. The Garden State Bar Association will be here to provide access to legal services for affected individuals in an effort to ensure they are properly informed, properly represented. We will be there to help all individuals, but specifically black and brown people, to reap the benefit of vacated or reduced sentences, and expungements of their criminal records. Governor Murphy and the Legislature can look to us as a firm partner in this regard. Ultimately, the Garden State Bar Association hopes to right past wrongs in the criminal justice system and give black and brown people equal access to the economic rewards of this new industry. The governor has said many times before that the legalization and regulation of marijuana in New Jersey is expected to be a game changer. We strongly agree. And

we look forward to helping change the game for black and brown individuals across the state. Thank you for having us, Governor Murphy. We look forward to working with you to truly make New Jersey stronger and fairer for everyone through this initiative." – **Lloyd Freeman, Former President of the Garden State Bar Association**

"As Mayor of the City of Trenton as well as an original sponsor of the bill permitting adult-use marijuana, I wholeheartedly support such legislation currently under consideration by the NJ Senate (S2703) and Assembly (A4497). The legislation will do a lot of good for New Jersey as a whole and, specifically, for urban centers around the state in the way of economic opportunities and social justice concerns. The bill recognizes the long-term failed experiment in enforcement against simple possession of marijuana for personal use. Equally important is that economic opportunities will arise for cultivation, manufacturing, wholesale, and retail of the product. Urban centers can convert abandoned warehousing and house dispensaries providing real opportunities for economic development. In addition, the bill authorizes expedited expungements for all marijuana possession offenses and distribution up to five pounds, which encompasses the vast majority of offenses. Individuals will be able to have these offenses permanently removed from their criminal record, and it will ensure that these convictions will not be used in employment, mortgage lending, and housing decisions in the same way that race, ethnicity, and gender cannot play a role in these decisions. Additionally, those currently incarcerated or on parole can petition the court to vacate their sentences. Once passed into law, tax revenue from cultivators, manufacturers, wholesalers, and retailers will stay local, as the bill allows for municipalities to impose local taxes to use as we see fit. This will go a long way to help bring more resources to Trenton as well as other municipalities across the state. Finally, the bill ensures that, at a minimum, 15 percent of licenses will go to certified minority businesses and an additional 15 percent will go to certified women's owned and disabled veterans' businesses. On top of that, 25 percent of licenses will go to microbusinesses, which are limited to New Jersey residents, and 35 percent will be conditional licenses, which are limited to individuals that make under a certain income threshold. This will all go a long way to ensuring that license recipients will largely be a diverse group of New Jersey-based small businesses. Lastly, cities such as Trenton, as impact zones, will receive priority in licensure over cultivation and dispensaries. In essence, this bill strikes a balance in creating new economic opportunities and doing what's right for those that have had past scrapes with the law over simple possession of marijuana. I am very proud to support this bill, and I look forward to its passage." – **Reed Gusciora, Mayor of Trenton**

"Tremendous Step in the right direction towards criminal justice reform and social and economic justice. Whatever side one is on regarding cannabis, you can't ignore that this legislation will positively impact thousands if not tens of thousands of good people who are caught in the system. They will have a chance to restart their lives." – **Larry Hamm, Founder of the People's Organization for Progress**

"This legislation will provide equity and reciprocity for African Americans and others. Additionally, it is a credible step in ensuring much needed true criminal justice reform for tens of thousands of New Jerseyans." – **John Harmon, President of the African American Chamber of Commerce**

"This legislation is critically important as we move toward legalization of adult-use cannabis in New Jersey. Without this bill, many residents would continue to be affected by the criminalization of small amounts marijuana as a result of prior convictions long after the laws change. Broader regulation around expungement will give residents the opportunity to right the wrongs of the past and clean the slate, enabling them to gain employment and seize the opportunities life presents them." – **Assemblyman Jamel Holley**

"Creating a process for residents to clear their name and their record had to be a part of –and is a critical part of– adult-use cannabis regulation in New Jersey. Too many of our residents have been marked for life over a mistake they made once in their youth. For there to be equity and justice in legalization, there must be legislation providing residents affected under the old laws to remove those convictions from their records and begin anew. This legislation is the start of that process." – **Assemblywoman Angela McKnight**

"The proposal to legalize recreational marijuana for adult use is sound public policy that recognizes and addresses the failures of prohibition. A well-regulated, legal cannabis market will take New Jersey into the 21st century and build on best practices from around the country. New Jersey's legalization proposal appropriately creates a pathway for those with drug convictions to have their sentences expunged. Further, enabling municipalities to tax cannabis sales will allow communities harmed by the War on Drugs to share in the profits of legalization and reinvest in their neighborhoods. This bill is the culmination of years of progressive advocacy and forward thinking, and it promotes the fact that race equity must be embedded into the foundation of both a legal market and public policy at large." – **Brandon McKoy, President of New Jersey Policy Perspective (NJPP)**

"Legalizing adult-use marijuana is victory for social justice, and the expungement provisions in bill developed by Governor Murphy and Legislative Leadership go a long way towards righting historical inequities in drug-related incarceration. I applaud the Governor, Senate President Sweeney, and Speaker Coughlin for their leadership and courage on this landmark legislation." – **Congressman Donald Payne Jr.**

"Back in June, the Assembly Judiciary Committee—which I chaired—held a hearing on the expungement process in New Jersey. I have also met independently with groups of citizens, law enforcement, and the courts. All agree that the expungement process is cumbersome and often expensive. The process can and should be streamlined. Next Monday, the General Assembly will consider my legislation to legalize adult-use cannabis and provide for the expedited expungement of criminal records associated with marijuana. So much time, effort and thought has gone into this bill, and I would like to thank all the legislators—especially those that couldn't make it today— staff and advocates who have brought us to this point." – **Assemblywoman Annette Quijano**

"As a former president of the Hispanic Bar Association, I am frustrated seeing Hispanics and African Americans arrested at a disproportionate rate for merely possessing marijuana, a drug whose medical capabilities remain untapped. Legalizing marijuana, if it is done in a controlled and regulated way with caps on growers and dispensaries, will protect the public and the patients. Legalizing marijuana in a controlled manner is the right thing to do for social justice, but also the right thing to do for our economy and the right thing to do for public safety. As an attorney that specializes in labor and employment, I can't tell you how often this issued comes across my desk. And it is unfortunate because it is truly such a disproportionate rate of black and brown that are affected. That needs to be addressed and this legislation does that. So hopefully on Monday this does get passed because the longer that it stays not passed, is the longer we go away in handcuffs and it is just not fair. I applaud the Governor and Legislature for this compromise and for the long road that we have been on that hopefully comes to an end very soon." – **Arlene Quinones-Perez, former president of the Hispanic Bar Association**

"For too long, Paterson has felt the harmful impacts of disproportionate law enforcement action related to marijuana. The current marijuana legalization legislation is a vital step toward correcting those injustices. Those who support Paterson's future should also support this legislation." – **Andre Sayegh, Mayor of Paterson**

"Currently, New Jersey arrests more than 32,000 people a year just for marijuana possession. These arrests derail people's lives and imperil their futures. Senate Bill 2703 / Assembly Bill 4497 would make these arrests a thing of the past. Currently, thousands of New Jerseyans are awaiting trial on marijuana possession charges and dreading the damage this will do to their lives. Senate Bill 2703 / Assembly Bill 4497 would dismiss these charges and allow these individuals to go on with their lives. Tens of thousands of people in New Jersey already have records for marijuana offenses. These people are our friends, neighbors and families. Senate Bill 2703 / Assembly Bill 4497 would allow these individuals to expunge their records and rebuild their lives. The majority of the individuals who have been unjustly impacted by these arrests and convictions for marijuana offenses are people of color. It is long past time we right these wrongs and Senate Bill 2703 / Assembly Bill 4497 would begin to do just that. This legislation is not perfect. No legislation is. But we as advocates, and the sponsors of this legislation, along with Senate and Assembly leadership and the Administration have worked tirelessly to make this bill as close to ideal as we could get it. We will continue working with the Administration and Legislature to ensure that the benefits of the controlled and regulated marijuana industry benefit all New Jerseyans." – **Roseanne Scotti, New Jersey State Director of the Drug Policy Alliance**

"Received a briefing from Governor Murphy on the marijuana legalization bill in NJ. Very impressed by the strong social justice components - expedited expungement, virtual expungement, and M/WBE prioritization. It's time to get this passed NJ." – **Rev. Al Sharpton**

"We in law enforcement know that this is not a problem you can arrest your way out of. A person is arrested and incarcerated, they don't get a second opportunity. This legislation will give them that opportunity to become a productive member of society." – **Jiles Ship, Commissioner of the New Jersey Police Training Commission**

"At this historic moment, New Jersey sets itself apart by pursuing a plan for marijuana legalization guided by the tenets of racial and social justice. From expungement to the creation of opportunities for people with convictions, the bill before the Legislature considers the heavy human toll of the drug war and clears the way for justice. We must seize this urgent opportunity to improve the lives of New Jerseyans and New Jersey itself through a legalization framework that puts fairness and equity first." – **Amol Sinha, Executive Director of ACLU-NJ**

"The NAACP New Jersey State conference is proud to stand with our fellow civil rights advocates to support S2703/A4497. We have fought continuously and tirelessly to include provisions such as expanded and expedited expungement, dismissing pending marijuana charges, civil penalties for youth, and minority inclusion in our newest industry. While we would not call it the perfect bill, S4703/A4497 is transformational and will change the trajectory of thousands of lives of those who were victims of this failed war on drugs. We urge this legislature to vote YES and put this bill on the Governor's desk and allow him the opportunity to continue being a trailblazer for civil rights and social justice." – **Richard T. Smith, President of the NAACP New Jersey State Conference**

"We are approaching a floor vote on reform legislation following years of hard work and commitment by advocates and elected officials. It is a cause we have all embraced: the reform of marijuana laws that have had a discriminatory impact on minorities. They have suffered the most from the drug laws and the disparities in how those laws have been implemented. The so-called War on Drugs has had an unfair impact on the lives of minorities

and on communities of diversity. It has been a failed policy that we now have the opportunity to change. Social justice has always been the driving force in my pursuit of marijuana legalization, and equal opportunities are my principal goals in the bills we have put before the Legislature. It is a thoughtful plan that will advance important social justice reforms, begin to reverse the discriminatory impact drug laws have had on minorities, and offer economic opportunities to the individuals and communities who have experienced injustice for generations. This is the continuation of our efforts to bring broader reforms to the criminal justice system in New Jersey. It is why I fought for a law requiring independent prosecutors in cases of police-involved fatalities and why I worked to reform the bail system that eliminated what was really a system of debtors' prisons. It was a system that kept people in jail – often for long periods of time and for minor offenses – simply because they couldn't afford bail. It was a system that we reformed, but there is more to do. The justice reforms in the cannabis legislation and in the expungement bill authored by Senators Sandra Cunningham and Teresa Ruiz offer opportunities to make further strides. They will advance social justice, legal justice and economic justice in meaningful ways. This is an opportunity for continued progress as we strive for a society that respects the rights of everyone." – **Stephen Sweeney, Senate President**

"We've been waiting for quite some time for a governor with a sense of vision. We have a governor that is willing to put some skin in the game. He's willing to come forward to help the black and brown but to help the communities as a whole. We make up 70 percent of those that are incarcerated. We are ecstatic, we are elated, that he is willing to take this stand, that helps our people, so we can spend more time educating our people, not incarcerating them, so we can end the cradle to the cell mentality." – **Reverend John Taylor**

Legalization of adult-use cannabis requires many steps to ensure fairness in implementation of the new regulations for all residents of all socio-economic backgrounds. Convictions and incarceration for the small amounts of marijuana, now to be deemed as "personal use," has changed the lives and the direction of many youth in our communities. An opportunity to expunge a criminal record of a cannabis-related charge could mean the difference between working and not working for an individual. It will be a process, and it will take a little effort, but expungement will be possible for many residents. – **Assemblyman Benjie Wimberly**

"We fully support the legalization of adult use marijuana because of the transformational impact the legislation will have on social justice and civil rights for almost 200K people, who are overwhelming people of color. We have not seen this kind of leadership impacting a social justice issue in our state's history. Finally, this is true criminal justice reform." – **New Jersey Black Issues Convention Executive Board**

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