

Opinion: Add easing of penalties to NJ's careful shift on marijuana

The legalization of marijuana for pleasure use in nine states and the election of a governor strongly favoring the same in New Jersey created momentum for legislators to authorize the regulated sale and taxation of pot.

We're glad to see that, despite the promise of up to \$500 million a year in new revenue from a marijuana tax rising to 25 percent, many legislators want to know more about the health, safety and criminal-justice aspects of legalizing the drug before proceeding. We've urged that twice previously in view of early data showing an increase in auto accidents and pot-impaired drivers in legal-marijuana states, and an absence of scientific studies on long-term use of today's high-powered cannabis.

State Sen. Ronald Rice, D-Essex, is concerned about the effect of looser marijuana laws on black and urban communities.

The ACLU reports that in 2013, black people accounted for 36 percent of marijuana possession arrests in New Jersey, despite being just 14 percent of the population. He plans to hold hearings on the issue around the state this year, including one in Atlantic City.

Another good development regarding marijuana was the Murphy administration's announcement at the end of February to reconsider its classification as a dangerous drug. Currently marijuana is a Schedule 1 narcotic in New Jersey, defined as a drug that "has no accepted medical use in treatment in the United States; or lacks accepted safety for use in treatment under medical supervision."

In November, a Superior Court Appellate Division judge pointed out in a ruling that this conflicts with the state's medical marijuana program and urged the state Division of Consumer Affairs to reconsider the classification.

The division said it will carry out an evidence-based review of the status of marijuana and announce how the public can offer its views soon.

That seems highly likely to result in a reclassification that not only eliminates the conflict in New Jersey marijuana policy but reflects the shifting public attitude about the drug.

The desire for the pleasure and tax revenue of marijuana isn't enough to justify legalization and commercial sale.

The people of New Jersey and their elected representatives also need a solid understanding of the health, safety and justice consequences of greatly increased use of powerful forms of marijuana before mainstreaming the drug. That won't be possible until more data is available from legal marijuana states and more scientific and medical studies are done.

Meanwhile, Rice and fellow state Sens. Robert Singer, R-Ocean, and Joe Cryan, D-Union, have proposed another good and modest change in the state's approach to marijuana. They have introduced legislation to decriminalize possession of 10 grams or less, about a third of an ounce. It would remain illegal, but someone

charged with possessing that amount would face a civil fine of up to \$100 and no criminal charge. This would still be a stricter rule than other decriminalization states that allow as much as 100 grams before a criminal charge is possible.

Gov. Phil Murphy and other legislators have included reducing the disproportionate marijuana arrest rate for blacks as a goal of the full legalization they seek.

Maybe someday that will be appropriate. Meanwhile, making it no longer a crime to possess a small quantity of marijuana should also be effective in better balancing justice without committing the state to consequences it might regret and can't reverse.