



MAY 2017

Unequal & Unfair

New Jersey's War on Marijuana Users

A REPORT BY THE AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY



Acknowledgments

The data analysis for this report was conducted by Will Bunting and Becca Cadoff. The primary author was former ACLU-NJ Public Policy Director Ari Rosmarin. The methodology of the report was conceived of by Will Bunting and Lynda Garcia, whose 2013 report, *The War on Marijuana in Black and White*, changed the course of the marijuana policy discussion in the United States and laid the groundwork for this report.

The report was edited by ACLU-NJ Communications Director Allison Peltzman and former ACLU-NJ Executive Director Udi Ofer.

Special thank you to former ACLU-NJ legal interns Tiffany Ornedo and Jean Fischman for research and writing contributions.

Thank you to the steering committee of New Jersey United for Marijuana Reform, a remarkable, unlikely group of passionate and dedicated reformers whose work to legalize marijuana in New Jersey will make history.

The ACLU-NJ offers additional gratitude to the ACLU's Campaign for Smart Justice, the Fund for New Jersey, the Vital Projects Fund, and David Cushing for their ongoing support of the ACLU-NJ's work to reform New Jersey's failed marijuana laws.

The **American Civil Liberties Union of New Jersey** is the state's leading organization dedicated to defending and advancing civil liberties and civil rights. Whether in the courts, legislatures, or in communities, the ACLU-NJ fights on a daily basis for racial justice, criminal justice reform, drug law reform, and reforms to policing practices, among other causes. With tens of thousands of members, activists, and supporters, the ACLU-NJ works in every corner of our state to defend the principle that every individual's rights must be protected equally under the law, regardless of race, religion, gender, sexual orientation, age, disability or national origin.



New Jersey United for Marijuana Reform is a partnership of public safety, medical, civil rights, faith, political and criminal justice reform organizations and individuals committed to changing New Jersey's laws to legalize, tax, and regulate marijuana for adults. NJUMR believes it's time to move away from our failed approach to marijuana, and build a safe, controlled and regulated system. It works to reform New Jersey's marijuana laws because fairness and public safety demand nothing less. Learn more at www.njmarjuanareform.org.

Unequal & Unfair: New Jersey's War on Marijuana Users
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Executive Summary

The Problem

New Jersey's marijuana laws are failing us.

Law enforcement has unsuccessfully tried for more than 80 years to arrest marijuana use out of existence, but support for making it legal is greater than it's ever been. Each year, New Jersey police make increasingly more marijuana possession arrests, yet the state has little to show for it. Prohibition has failed. It's time for common sense.

New Jersey's arrest practices for marijuana possession illustrate the failure of marijuana enforcement. They have a devastating impact of aggressive, costly, racially disparate punishment for use of a drug that for adults is less dangerous than alcohol.

For the first time ever, the analysis in this report takes a deep dive into New Jersey's marijuana possession arrest practices. What it finds is deeply troubling: New Jersey is making more arrests for marijuana possession than ever in a manner that is more racially disparate than ever.

Indeed, our marijuana arrest problem is getting worse, not better.

Key findings of the report include:

- **New Jersey is making more arrests for marijuana possession than ever before.** In 2013, New Jersey law enforcement made 24,067 marijuana possession arrests, 26 percent more than in 2000, when police made 19,607 arrests. Between 2000 and 2013, New Jersey police made nearly 280,000 total marijuana possession arrests.
- **Police make a marijuana possession arrest in New Jersey on average every 22 minutes.** This plays out with varying frequency around the state. Cape May was the county with the highest per capita arrest rate in 2013, and the 28th Legislative District, represented by Senator Ron Rice and Assembly members Ralph Caputo and Cleopatra Tucker, was the district with the highest per capita arrest rate that year. Seaside Park in Ocean County had the highest per capita arrest rate of any community in the state.

- **Racial disparities in New Jersey marijuana arrests are at an all-time high.** The racial disparity in marijuana possession arrests reached an all-time high in 2013. That year, Black New Jerseyans were three times more likely to be arrested for marijuana possession than whites, despite similar usage rates. In 2000, Blacks were 2.2 times more likely to be arrested than Whites, an increase of 34 percent. In 2013, Blacks were 11.3 times more likely to be arrested than whites in the 21st Legislative District. And in Point Pleasant Beach, Blacks were 31.8 times more likely to be arrested for marijuana possession than whites in 2013 — the highest racial disparity of any municipality included in the study.
- **New Jersey wastes more than \$143 million per year to enforce our marijuana possession laws.** Adding up the cost of police, courts, and corrections, New Jersey expends tremendous resources to implement and enforce marijuana prohibition. Indeed, 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.
- **Nine out of ten marijuana arrests are of users, not dealers.** In 2013, marijuana possession arrests made up 88 percent of total marijuana arrests statewide. In other words, nearly nine out of 10 arrests made for marijuana were not of dealers or kingpins, but rather New Jerseyans who possessed the lowest amount counted by New Jersey law. In Monmouth County, this number reached 95 percent. It was 97 percent in the 8th Legislative District. In 14 New Jersey communities included in the study, 100 percent of arrests were for low-level possession in 2013.

These findings are particularly troubling when one understands the potential collateral: jail, loss of one's job, a criminal record for at least three years, driver's license suspension, up to \$1,255 in fines and fees, and potential consequences for one's immigration status, financial aid eligibility, access to public housing, and the ability to adopt children.

Indeed, many New Jerseyans' lives have been disrupted or damaged by marijuana arrests. This report features but a few of them. In one, Lee, a Newarker in his late 40s, was home with his wife one evening and saw officers on their porch, looking for a suspect. He asked if they needed help, and the officers barged in, forcing Lee and his wife on the floor. Lee told officers that they had a small amount of marijuana — less than an ounce. They arrested him for marijuana possession, traumatizing him and his wife in the process.

STORIES OF ENFORCEMENT

Lee's story:

A Full-On Raid for Less Than an Ounce of Marijuana

It was Halloween night, and Lee's four children, between 5 and 11 at the time, were all at a family party. With the house to themselves, Lee and his wife were going to have a romantic evening.

It didn't go according to plan.

Lee, a professional wedding singer and lifelong Newarker in his late 40s, noticed a bright light in the alleyway of his home in Newark, not far from the border with Irvington. After asking through a cracked window if everything was all right, police officers responded that they were chasing someone in the alley.

Seconds later, police in riot gear bashed in his door. Lee immediately told the officers, who had brought rifles and dogs, about the three small baggies of marijuana in the bedroom. Together, they totaled less than an ounce.

The officers threw him and his wife, an employee of the public schools, onto the floor and handcuffed them, both wearing only underwear. The police tore a door from the hinges and ripped open pillows — even though the pillows had zippers, Lee said. Leaving a trail of holes in the walls, the officers arrested Lee for marijuana possession.

"It was traumatizing. It was embarrassing," Lee said about the impact of the search and arrest on him and his wife.

His children asked the next day why their rooms were torn apart.

"I told them the police came to search for something," Lee said. "I try not to lie to them. If they had been there when the police came, I don't know what would have happened."

To fulfill his sentence of community service, he spent a few days cleaning at New Hope Baptist Church, the house of worship where Whitney Houston's funeral was held.

"It's ridiculous," he said when asked about the criminalization of marijuana possession. "I'm a functioning member of society. I support my family. I don't see it as any different from coming home and having a beer."

"There are a lot of people who smoke marijuana, and there are a lot of people in non-urban communities who use marijuana," Lee said. "But they're not the ones getting arrested."



Lee, at the church where he performed community service for less than an ounce of pot

A Solution Within Reach

Stories like Lee's put a human face on the nameless data points in this report, showing the unnecessary devastation that lurks behind each of the more than 24,000 marijuana arrests each year. And it's stories like his that have led civil rights leaders, elected officials, law enforcement professionals, doctors, religious leaders, and the majority of New Jerseyans to support the call to legalize, tax, and regulate marijuana for adults in New Jersey.

Their voices are found throughout this report, including those of Richard Smith, President of the NAACP New Jersey State Conference; Lt. Dominick Bucci, a retired New Jersey State Police narcotics detective; Dr. David Nathan, a Clinical Associate Professor at the Rutgers Robert Wood Johnson Medical School and Distinguished Fellow of the American Psychiatric Association; Rev. Craig Hirshberg, former director of the Unitarian Universalist Legislative Ministry; Leo M. Bridgewater, a U.S. Army veteran of Operation Iraqi Freedom; and Lazaro Cardenas of the Latino Action Network.

With nearly 60 percent of New Jerseyans supporting the legalization, taxation, and regulation of marijuana for adults, according to a 2015 Rutgers Eagleton poll, these leaders are not alone.

Police make an average of 66 new marijuana possession arrests every day. New Jersey cannot afford to wait any longer to put an end to our broken system of marijuana prohibition. New Jersey communities—particularly communities of color—continue to bear the brunt of our failed policies. The time to end this injustice is now.

Key recommendations from the report include:

- **New Jersey should legalize, tax, and regulate marijuana for adults.** It's time for a law to end marijuana prohibition and replace it with a safe, legal, regulated marijuana system. New Jersey should build a system that ends criminalization and mitigates the past harms of our marijuana laws; keeps marijuana out of the hands of young people; bolsters the New Jersey economy; keeps "Big Marijuana" from dominating the marketplace; and reinvests in the health, safety, and economic well-being of New Jersey communities, including those disproportionately impacted by our failed enforcement of prohibition.
- **The State should require police departments to properly record Hispanic/Latino arrest data.** The absence of data on the number of Hispanics/Latinos arrested likely leads to an artificially lower black-white racial disparity. The Legislature or Attorney General should require police departments to keep track of the number

of Hispanic/Latino arrests for marijuana possession to properly assess the law's impact on the Hispanic/Latino community.

- **The New Jersey Attorney General should investigate causes of racial disparities in arrests.** With consistent government data showing that whites and Blacks use marijuana at largely the same rates, the growing racial disparity in arrests for marijuana possession in New Jersey demands further scrutiny to determine the *cause* of such disparities. This investigation could also shed light on persistent racial disparities throughout the New Jersey criminal justice system, not just in marijuana arrests.

By moving forward to finally end our broken system of marijuana prohibition, New Jersey would not be taking a radical or unprecedented step. States across the country and nations around the world are rapidly moving toward legalization. Reform of our marijuana laws is a civil rights priority and a key component of reforming our broken criminal justice system.

Methodology

This report relies on the Federal Bureau of Investigation's Uniform Crime Reporting Program (FBI/UCR Program) and the United States Census' annual county population estimates by age, sex, and race to document arrest rates per 100,000 people for marijuana possession by race. This report is the first to examine and document these data for New Jersey law enforcement agencies and to aggregate marijuana arrest UCR data by legislative district.¹

This report provides a purely descriptive analysis. In other words, the data is used to describe the problem of racial disparities in marijuana possession arrests, and not to identify why such disparities exist.

To calculate the arrest rates of whites and Blacks on marijuana possession charges in a given jurisdiction, the number of arrests for whites and for Blacks for marijuana possession is divided by the white and Black population, respectively, in the given jurisdiction (e.g., the county or legislative district). The corresponding ratios are each then multiplied by 100,000 to obtain the arrest rate per 100,000 people for each.

In this report, the measure of racial disparity in a given jurisdiction in terms of arrests for marijuana possession is calculated as the ratio of the Black arrest rate to the white arrest rate. So, for example, a racial disparity measure (or ratio) of three implies that the rate at which Blacks are arrested for marijuana possession is three times the rate at which whites are arrested for marijuana possession.

The marijuana possession arrest data presented in this report were obtained from the FBI/UCR Program. This program annually collects data from state and local law enforcement agencies. In particular, the two main FBI/UCR data sets used in the report are:

- Uniform Crime Reporting Data [United States]: Arrests by Age, Sex, and Race [Alternative Title: ASR], 2001-2013.
- Uniform Crime Reporting Data [United States]: County-Level Detailed Arrest and Offense Data, 1995-2013.

¹ The methodology of analysis in this report closely tracks that conducted in the 2013 ACLU report *The War on Marijuana in Black and White*. For a more detailed explanation of the methodology conducted here, see AMERICAN CIVIL LIBERTIES UNION, *THE WAR ON MARIJUANA IN BLACK AND WHITE* 29 (2013), available at <https://www.aclu.org/files/assets/aclu-thewaronmarijuana-rel2.pdf>.

Both series are publicly available through the Inter-University Consortium for Political and Social Research (ICPSR) at the University of Michigan.

Annual county population estimates by age, sex, race, and ethnicity were drawn from the United States Census:

- U.S. Census Bureau, Annual County Resident Population Estimates by Age, Sex, Race, and Hispanic Origin: April 1, 2000, to July 1, 2010.
- U.S. Census Bureau, American Community Survey Demographic and Housing Estimates, 2009-2013 American Community Survey Five-Year Estimates.

Finally, the fiscal cost analysis utilizes the aforementioned arrest data and draws supplemental data from the Justice Expenditure and Employment Extracts, 2012:

- Bureau of Justice Statistics, Criminal Justice Expenditure and Employment Extracts (CJEE) Program, Percent Distribution of Expenditure for the Justice System by Type of Government, Fiscal Year 2012. (Filename: jeeus1203.csv).

This expenditure data is drawn from the Census Bureau's Annual Government Finance Survey and Annual Survey of Public Employment. This series includes national-, federal-, and state-level estimates of government expenditures and employment for the following justice categories: (1) police protection; (2) all judicial functions (including prosecution, courts, and public defense); and (3) corrections.

The Hispanic/Latino Data Problem

This report's sole focus on Black-white racial disparities is the result of the fact that the FBI/UCR arrest data does not identify Hispanics/Latinos as a distinct racial group and thus does not distinguish between white and Latino arrests. In other words, an arrest of a Hispanic/Latino person is often categorized as a "white" arrest. This conflation of Hispanic/Latino and white arrests not only prevents calculation of Latino arrest rates based on the UCR data, but also results in an underestimation of the racial disparities between Black and white arrests, since a portion — potentially a significant portion in some places — of the "white" arrests are likely arrests of Hispanics/Latinos.

Put another way, classifying Hispanics/Latinos as whites for the purposes of reporting arrest data to the FBI/UCR Program can inflate the "true" white arrest rate and, in turn, deflate the "true" racial disparity in arrest rates between whites and Blacks. Therefore, in any jurisdiction where the Hispanic/Latino arrest rate is greater than the white arrest rate — which we suspect is the case in some jurisdictions in New Jersey — the arrest rate disparities between Blacks and whites will be even more pronounced than the disparities as captured by the FBI/UCR data.

To understand the distortional effect of underreporting arrests of Hispanics/Latinos, suppose that there are an equal number of whites, Latinos, and Blacks in a jurisdiction, and that the true arrest rates for these three groups are 100, 200, and 300, respectively. If all Hispanics/Latinos are classified as white, then the reported "white" arrest rate would be calculated as 150, implying a Black/white racial disparity of 2 ($= 300$ (Black arrest rate)/ 150 (white arrest rate)) when, in fact, the true racial disparity is 3 ($= 300/100$).

Counting and Classifying Marijuana Possession Arrests

The FBI/UCR Program counts one arrest for each separate instance in which a person is arrested, cited, or summoned for an offense. Because a person may be arrested more than once during a year, the FBI/UCR arrest numbers used in this report do not reflect the actual number of individuals who have been arrested; rather, the arrest data shows the total number of times that individuals have been arrested, as reported by law enforcement agencies to the FBI/UCR Program.

Further, when someone is arrested for multiple crimes arising from a single police enforcement action, the FBI/UCR Program calls it a "multiple-offense situation." As a general rule, a multiple-offense situation requires classifying each of the offenses committed and

determining which of them are Part I offenses as opposed to non-Part I offenses.² The Hierarchy Rule, as described in the FBI/UCR Handbook, requires that in a multiple-offense situation — when more than one Part I offense is classified — the law enforcement agency must identify the offense involved that is highest on the hierarchy list and score only that offense and not any others.

Most relevant for present purposes, in a multiple-offense incident involving, for example, both Part I (e.g., Robbery — Other Dangerous Weapon) and non-Part I offenses (e.g., Marijuana — Possession), only the Part I offense, Robbery — Other Dangerous Weapon, must be classified and scored. The arrest for marijuana possession would not be reported in this situation. Thus, any racial disparity observed in the FBI/UCR data with respect to marijuana possession is not a product of differential arrest rates for Part I crimes, as marijuana possession offenses are not recorded with respect to these offenses. By contrast, in a multiple-offense incident involving marijuana possession and a traffic violation — neither of which constitutes a Part I offense — the enforcement action is coded as both a marijuana possession arrest and a traffic violation (i.e., the hierarchy rule does not apply in this situation).

Arrest Data by Legislative District

The analysis conducted on marijuana arrests in each New Jersey legislative district was completed by matching data from municipal arresting agencies with the legislative district in which they are located. In other words, data from all of the arresting agencies located within a particular legislative district make up that district's arrest data. There are two important disclaimers to this method: first, arrests made by county agencies or statewide agencies, such as New Jersey Transit Police, the Port Authority Police, or the State Police, are not assigned to a particular legislative district or locality.

Second, in Newark and Jersey City, sections of each city are located in different legislative districts from other sections in the city. Newark is located in both the 28th and 29th legislative districts. Jersey City is located in both the 31st and 33rd legislative districts. For the purposes of this analysis, we have allocated the share of arrests from each municipality in accordance with the percentage of the population of that municipality that lives in each legislative district. For example, 61.5 percent of Newark's population resides in the 29th legislative district. Accordingly, we assigned 61.5 percent of the arrests by the Newark Police Department for marijuana possession to the 29th legislative district. While this proportional

² Part I offenses include: (1) Criminal Homicide, (2) Forcible Rape, (3) Robbery, (4) Aggravated Assault, (5) Burglary, (6) Larceny-Theft (except Motor Vehicle Theft), (7) Motor Vehicle Theft, and (8) Arson. See U.S. DEP'T OF JUST., FED. BUREAU OF INVESTIGATION, UNIFORM CRIME REPORTING HANDBOOK 8 [2004], available at <http://www2.fbi.gov/ucr/handbook/ucrhandbook04.pdf>.

allocation remains an imperfect methodology — there likely are sections of each city that have a higher rate of marijuana possession arrests than others — this is the best proxy we were able to make. Because the FBI/UCR data do not include the precise location of arrests, we were unable to determine the specific legislative district in which a particular arrest was made within the municipalities that span more than one district.

Note on Arrest Data by Municipality/Arresting Agency

The municipalities included in the report either made at least 30 marijuana possession arrests in 2013 or made an average of 30 marijuana possession arrests per year within 2000-2013.

Arrests made by statewide agencies, such as New Jersey Transit Police, the Port Authority police, or the State Police, are not assigned to a particular legislative district or locality. Therefore, the statewide total of marijuana arrests is higher than the sum of the data from individual municipalities and arresting agencies.

Doubts Remain About Accuracy of Federal UCR Arrest Data

Recent experience shows that the arrest numbers reflected in the FBI's Uniform Crime Reports may be undercounted, with significant ramifications for calculating racial disparities in arrests.

For example, the 2015 ACLU of New Jersey report, *Selective Policing*, revealed that when the ACLU-NJ obtained information about Jersey City's marijuana possession arrests from a manual Jersey City Police Department recount of all 2011 arrest reports, it revealed a *significantly higher number of arrests than Jersey City had reported to the FBI/UCR for that year*.³

Further, using numbers provided by the JCPD via the Open Public Records Act, and the inclusion of Hispanic/Latino data from that data (which the FBI/UCR data does not include), Jersey City's Black-white racial disparity in marijuana arrests in 2013 was calculated to be 8.4.⁴

According to the analysis in this report based *solely* on FBI/UCR data, the Black-white racial disparity for marijuana possession arrests in Jersey City in 2013 was only 2.9. This

³ Lynda Garcia, ACLU OF NEW JERSEY, *SELECTIVE POLICING* 18-19 (2015), https://www.aclu-nj.org/files/7214/5070/6701/2015_12_21_aclunj_select_enf.pdf.

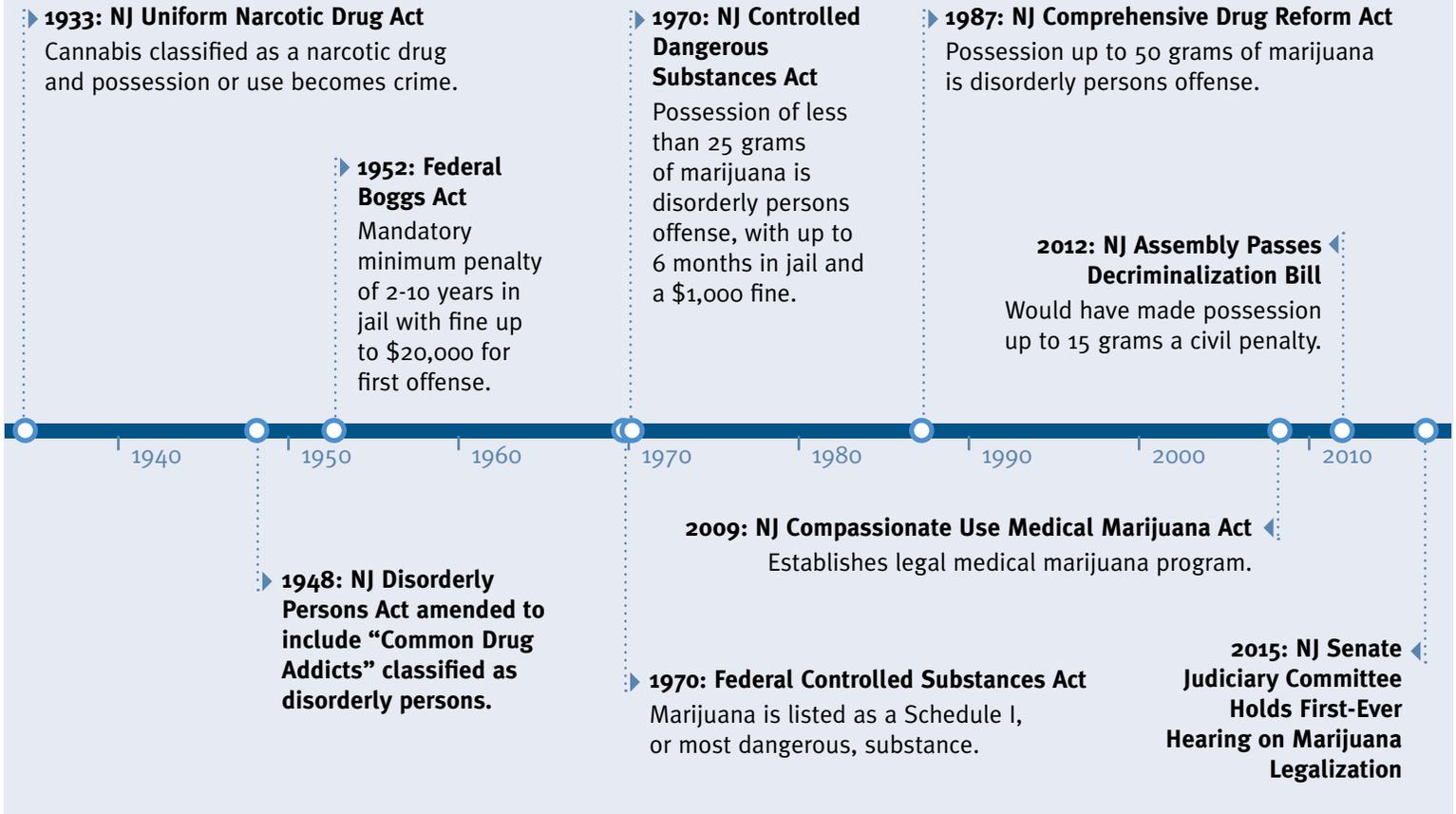
⁴ *Id.* at 21.

significant difference raises fundamental questions about UCR reporting practices by police departments throughout New Jersey. While close analysis of Jersey City’s data revealed a particularly troubling gap, it is very likely not alone in this regard.

Despite these discrepancies, we have used FBI/UCR arrest data for all municipalities analyzed in this report as a way to create a consistent source of data for the purposes of comparison among municipalities.

“According to the analysis in this report based solely on FBI/UCR data, the Black-white racial disparity for marijuana possession arrests in Jersey City in 2013 was only 2.9.”

Timeline of New Jersey Marijuana Prohibition Laws



The Consequences of a Marijuana Arrest

A Marijuana Arrest is a Big Deal: Collateral Consequences of Arrests

An arrest for a single marijuana cigarette in New Jersey can create devastating consequences for someone's life. With over 200,000 marijuana possession arrests in the past decade, our marijuana laws have done serious damage to our family members, neighbors, and friends.

Consequences for one adult marijuana possession arrest could include:



UP TO 6 MONTHS IN JAIL



LOSS OF EMPLOYMENT



DRIVER'S LICENSE SUSPENSION FOR UP TO 2 YEARS



CRIMINAL RECORD FOR AT LEAST 3 YEARS



ARREST WARRANT FOR FAILURE TO PAY FINES



UP TO \$1,255 IN FEES AND FINES



LOSS OF IMMIGRATION STATUS



LOSS OF STUDENT FINANCIAL AID



3-YEAR BAN FROM PUBLIC HOUSING



5-YEAR BAN FROM ADOPTION

STORIES OF ENFORCEMENT

Carrol's story:

Marijuana Saved Her Life, And Marijuana Enforcement Put it on Hold

When Carrol weighed 90 pounds and doctors told her she had weeks to live during her early days with HIV, using marijuana made her life more bearable. But in 2014, she said, enforcement of marijuana laws came close to ruining her life.

Carrol called 911 about newborn raccoons in her yard, not knowing what else to do. She thought the police outside were there to help, until they burst in and started searching her home. She then learned from the officers that law enforcement had been following her for months, suspicious that she was selling marijuana.

Carrol, a medical marijuana patient in her 40s from Bergen County, had a right to have marijuana in her home. Officers found seven grams and a plant and charged her with distribution, manufacturing, possession, and paraphernalia, within a school zone. All five people who were in the house, including Carrol's son, were put in handcuffs and arrested. She was held in jail on \$50,000 bail. She and her family managed to gather the thousands of dollars required for a bail bond, but they knew they would never get it back.

Because the police suspected her of selling, they seized \$3,600 in cash — gambling winnings. Carrol said they were still wrapped in paper identifying the casino, the Sands.

She and her family would lose more than money.

She told the EMTs her HIV-status during the arrest to keep them informed. When she said she was afraid of police beating her, they said she shouldn't worry — they didn't want to risk getting her blood on them. While in jail, she missed her life-saving medications for four days.

Because of the arrest, her lease was not renewed, and she and her family were forced to move. She had to see her doctor less often, and she had to borrow her nephew's car to get there. Most distressing to her, she had finished cleaning out the home of her mother, who had recently died, a day or two before the search. The police took her mother's mason jars that she had brought home, and she never got them back.

She was publicly humiliated when her mugshot appeared in the newspaper, because of less than an ounce of marijuana and a plant. Her son's girlfriend's first Google result is a mugshot because she happened to be at Carrol's house at the time of the search.

After everything, all of the charges were dropped except for a distribution charge, which was downgraded to a misdemeanor.

It took her a year and a month to get back her laptop and Chevy Equinox, which had been seized through civil asset forfeiture. When she did get the car back, it had two flat tires. She signed a settlement agreement after a civil forfeiture suit, agreeing to get only half the amount that was taken. She figured it was better than nothing.

"The marijuana laws are unjust, and the medical marijuana system in New Jersey just doesn't work," said Carrol. "Cannabis needs to be legalized here."

Cost Savings

The War on Marijuana Wastes Millions Every Year

Enforcement of our marijuana possession laws is a tremendous drain on our state resources. The criminal justice process associated with a marijuana possession arrest is complicated and often arduous. From beginning to end, hours of work performed by multiple agencies and branches of government are involved, and the costs add up.

First, there's investigative work involved in a stop. For an arrest, the officer has to handcuff the person and at the station fingerprint them, fill out paperwork, and book them. Even for short stays, the jail must pay guards and provide food and medical care for each pretrial detainee. Then, once the case is heard, it takes work from the judge, court staff, prosecutor, defense attorney, and many others. In many cases, witnesses such as drug recognition experts (DREs) and police officers, must be paid to testify in court or sit for depositions. If there's a conviction, that person may face additional jail time or get conditional release, requiring supervision by a probation officer.

All for one marijuana possession arrest.

These costs are not insignificant: according to the most recent data available, New Jersey made 24,086 marijuana possession arrests in 2012.⁵

Those arrests cost New Jersey taxpayers an estimated \$143,134,012 in 2012 alone.⁶

Over the past decade, New Jersey has spent over \$1 billion to enforce our marijuana possession laws.

⁵ At the time of the analysis for this section of the report, the complete data sets needed for determining this fiscal estimate were only available through 2012, despite the arrest data in this report continuing through 2013.

⁶ For budgetary sources used in this analysis, see the Methodology section of this report. The estimate is done by, for example, identifying the cost of total police time making arrests and calculating a fraction of that time based on the number of marijuana possession arrests out of total arrests. A similar calculus is done with corrections and court costs. For more details on this methodology, see *THE WAR ON MARIJUANA IN BLACK AND WHITE*, P. 68, *SUPRA* N. 1.

Legalization for Adults will Generate More Than \$300 Million Per Year in Direct Sales Tax Revenue

The legalization, taxation, and regulation of marijuana for adults will not just end the wasteful spending on enforcement, but it will also generate hundreds of millions of dollars in tax revenue for New Jersey.

New Jersey Policy Perspective and New Jersey United Marijuana Reform estimate that the state would ultimately bring in more than \$300 million per year in sales tax revenue from direct sales of marijuana within a few years of legalization.⁷

The report also predicted that the size of the marijuana market in New Jersey could reach \$1.2 billion. Legalization would bring other economic benefits not included in the direct sales tax estimates, including job creation, growth in business, research and development, and boosts in property, agricultural, business, and income taxes.

P R O F I L E



**Jon-Henry Barr, Current Secretary and Former President,
New Jersey State Municipal Prosecutors Association**
(Clark, NJ)

“As a prosecutor, I have spent thousands of dollars and countless hours taking police officers off the roads and into the courtroom, and at the end of the day, it is usually just over a joint. It’s collectively brought me and so many prosecutors to the point where we believe that regulation is the only way to ensure that we are not wasting precious taxpayer dollars and we have the time to prosecute serious cases.”

⁷ Brandon McKoy & Ari Rosmarin, MARIJUANA LEGALIZATION & TAXATION: POSITIVE REVENUE IMPLICATIONS FOR NEW JERSEY (2016), https://www.njumr.org/files/1214/6409/3531/2016_05_24_MJRevenue.pdf.

Marijuana Arrests in New Jersey

Data provided to the FBI by New Jersey law enforcement agencies paint a deeply troubling picture of marijuana enforcement practices in the Garden State. With each passing year, our marijuana arrests grow in number, and the severity of the racial disparity in arrests grows.

These data reveal that New Jersey is arresting more people for marijuana possession than ever before. As states across the country move to legalize and decriminalize marijuana possession, New Jersey's enforcement practices are heading in the opposite direction.

The numbers are clear: New Jersey law enforcement's marijuana arrest crusade continues to grow and shows no signs of slowing.

Indeed, New Jersey's racial disparity in arrests was higher in 2013 than ever before. Likewise, low-level possession arrests make up a higher share of marijuana arrests than they ever have.

A majority of New Jerseyans support legalization.

THE NUMBERS: STATE OF NEW JERSEY

With so many marijuana possession arrests every year, it can be difficult to get a clear picture of how police enforce our marijuana laws in New Jersey. The statewide arrest data provide the best overall birds' eye view of what the war on marijuana really looks like in the state.

The trends are unmistakable: New Jersey is making more arrests of marijuana users than ever before, at a higher rate than ever before, and in a more racially disparate manner than ever before.

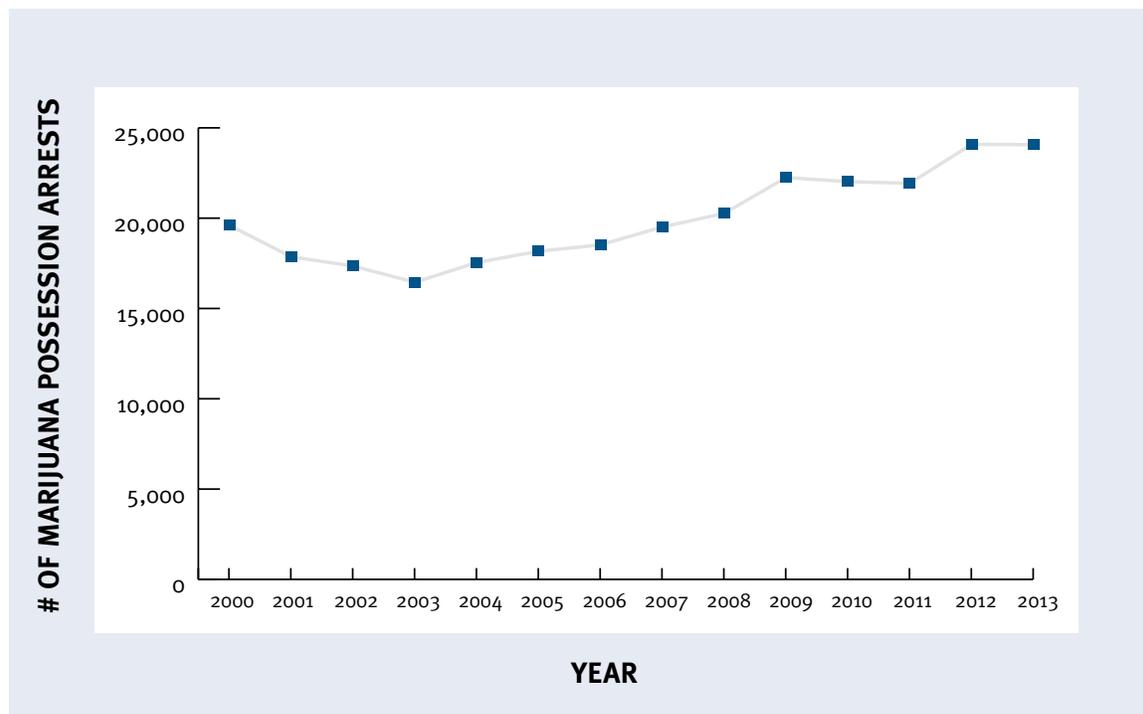
RECORD NUMBERS OF MARIJUANA ARRESTS

Between 2000 and 2013, New Jersey law enforcement agencies made 279,623 small-scale marijuana possession arrests. That number has steadily increased over time. Following a high of 19,607 in 2000, the arrest numbers dropped, only to increase again in 2008 with 20,265 arrests.

As a point of comparison, in 2003 law enforcement made 16,449 arrests, the lowest figure in the past 15 years. By 2013, ten years later, that number had reached 24,067 arrests, an increase of 46 percent.⁸

While there do not appear to be any identifiable law or policy changes that would impact the number of arrests since 2000, it is clear that the number of marijuana possession arrests in New Jersey has never been higher.

TABLE 1: NUMBER OF MARIJUANA POSSESSION ARRESTS, 2000 – 2013



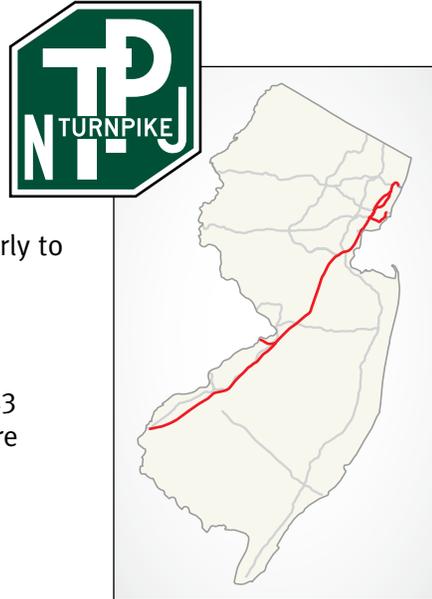
⁸ Though the data was not available at the time of analysis for inclusion in this report, New Jersey police reported 24,689 marijuana possession arrests in 2014. See New Jersey State Police, 2014 Uniform Crime Report (2016), <http://www.njsp.org/ucr/2014/index.shtml> (pg. 71).

INCREASE IN MARIJUANA POSSESSION ARRESTS 2000 – 2013 vs. POPULATION INCREASE

There Were About 280,000 Arrests Between 2000 – 2013

The NJ Turnpike is 122.4 miles — which is 646,272 feet. If you lined up every person arrested for marijuana between 2000 and 2013, the line would stretch the entire length of the New Jersey Turnpike and beyond, nearly to the Maryland border.

Another way to look at it is that the number of people arrested for marijuana possession between 2000 and 2013 would roughly be the same number of people as the entire populations of Trenton, Camden, Morristown, Red Bank, Livingston, Montclair, and Atlantic City, combined.



Between 2000 – 2013: A marijuana arrest was made in New Jersey approximately once every 22 minutes.

To illustrate the number of arrests over time would mean that there were approximately **66 arrests per day** or **2.7 arrests per hour**.

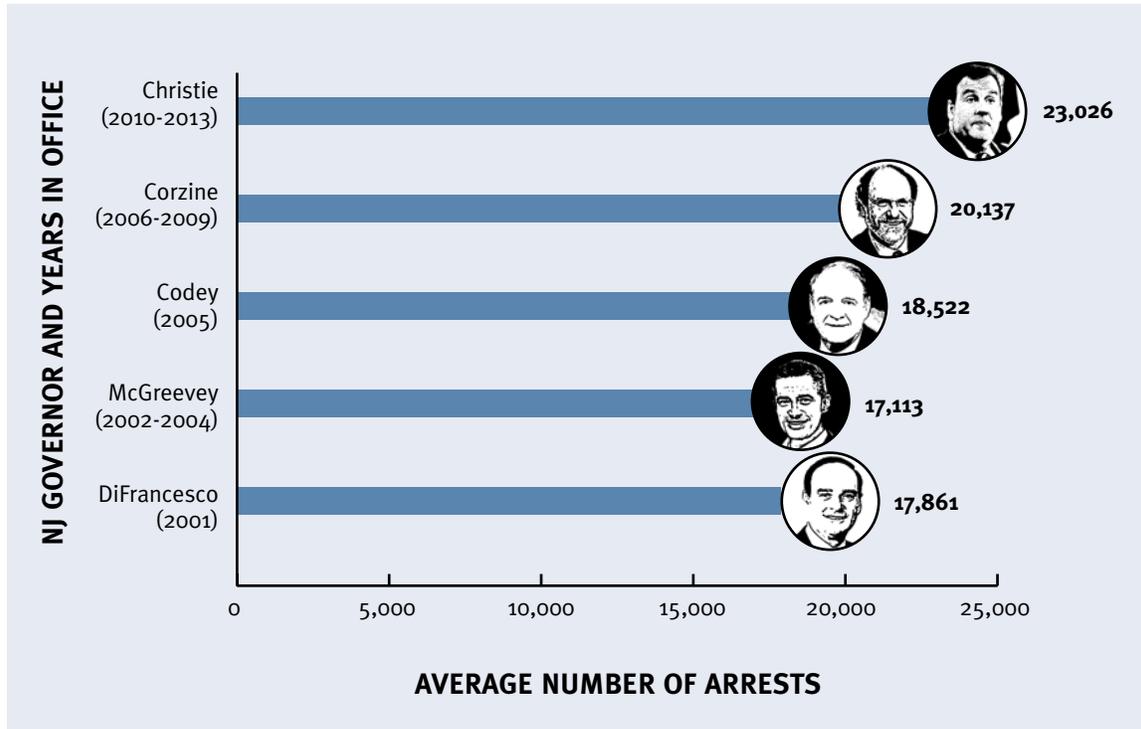
P R O F I L E



Lt. Dominick Bucci (Ret.), Former New Jersey State Police, Law Enforcement Action Partnership

“I spent 25 years as a New Jersey State Trooper, retiring with the rank of Lieutenant, and dedicated much of my life to fighting crime in our state. I spent 22 of my 25 years of service working as a narcotics detective. As somebody who made many arrests for marijuana possession, I have come to the conclusion that our marijuana laws are a failure, that they do not improve public safety, and that New Jersey should move towards legalizing and regulating marijuana for adults.”

TABLE 2: AVERAGE NUMBER OF ARRESTS PER YEAR BY NJ GOVERNOR⁹



Worst Racial Disparities on Record

Between 2000 and 2013, Blacks in New Jersey have been, on average, approximately 2.5 times more likely to be arrested for marijuana possession than whites, despite similar usage rates.¹⁰

In 2013, that disparity reached an all-time high of 3 times more likely.

⁹ Governor Christine Whitman is not included on this chart, although her term of office included the arrests in the year 2000, which is a part of this report. Further, though calendar years do not align with terms of office, we have assigned governors full calendar years because we do not have access to monthly or daily marijuana arrest numbers. Though Governor DiFrancesco took office January 31, 2001, and left office January 8, 2002, we have assigned him calendar year 2002. Similarly, Governor McGreevey took office January 15, 2002, and left office November 15, 2004, but we have assigned him 2002-2004. Governor Codey took office November 15, 2004 and left office January 17, 2006, but we have assigned him 2005. Governor Corzine took office January 17, 2006 and left office January 19, 2010, but we have assigned him 2006-2009. Though Governor Christie took office January 19, 2010, and currently remains in office, we have charted his first term as 2010-2013.

¹⁰ According to the 2013 National Survey on Drug Use and Health (NSDUH), Blacks and whites use marijuana at similar rates. See http://www.icpsr.umich.edu/quicktables/quicksetoptions.do?reportKey=35509-0001_all%3A7 (In “Measures of Marijuana Use” drop-down menu, select “Ever Used Marijuana.” In “Respondent Characteristics” drop-down menu, select “Race and Ethnicity”, then click “Create the Table”). In 2013, 42.1 percent of Blacks reported having ever used marijuana, while 48.9 percent of whites reported having ever used marijuana. Similarly, 5.3 percent of Blacks reported having used marijuana in the past year, while 5.2 percent of whites reported using marijuana in the past year.

TABLE 3: RACIAL DISPARITY RATIO STATEWIDE, 2000 – 2013

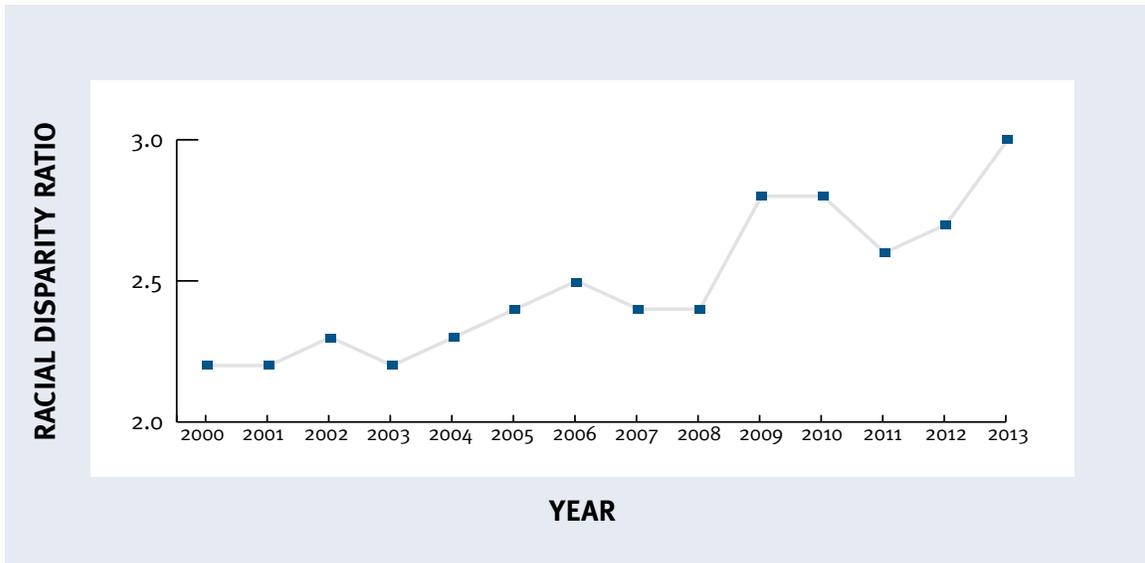
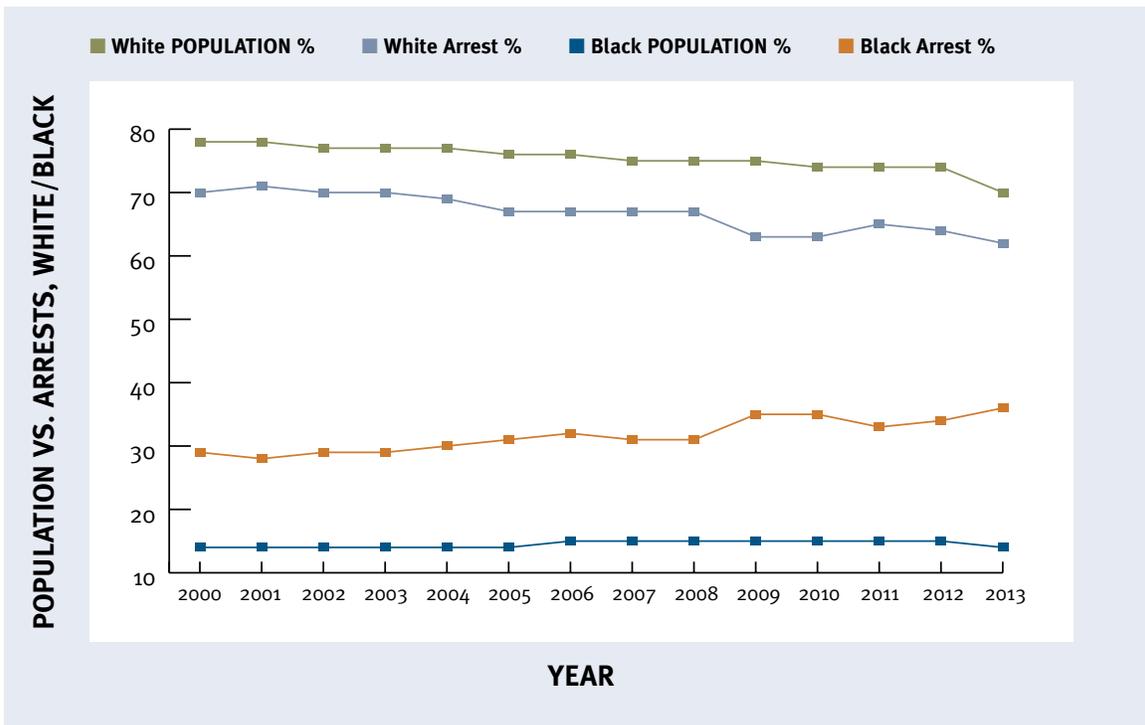


TABLE 4: POPULATION VS. ARRESTS, WHITE/BLACK, 2000 – 2013



In 2013, although Black New Jerseyans made up 14 percent of the state population, they made up 36 percent of all marijuana possession arrests—an arrest rate three times the rate that white New Jerseyans face. While the percentage of the population of New Jersey that is Black has remained consistent since 2000 (14 percent), the Black community’s share of arrests has steadily grown (29 percent in 2000, 36 percent in 2013). It is now higher than ever.

This disparity raises deep and troubling questions about not just our marijuana enforcement practices—but racial disparities throughout New Jersey policing practices, and our broader criminal justice system.

Marijuana enforcement provides one of the clearest examples of unequal treatment under the law—government data tells us that Blacks and whites use marijuana at the same rates, but are arrested at vastly different rates. Over time, this disparity in enforcement contributes to devastating collateral consequences borne far more greatly by one community—Black New Jerseyans—than others. An arrest can lead to jail time, heavy fines and fees, loss of employment or educational opportunities, immigration consequences, and more.¹¹ While some New Jerseyans may have the wherewithal to hire a lawyer and seek expungement of their arrest or conviction records, many do not. For the majority, a marijuana arrest follows them for the rest of their lives. If Black lives are to matter as much as white lives in New Jersey, our marijuana possession enforcement practices must end.

P R O F I L E



Dianna Houenou, American Civil Liberties Union of New Jersey
(East Orange, NJ)

“Marijuana criminalization hurts our state by taking people out of the workforce, jeopardizing housing and educational opportunities, and costing taxpayers millions of dollars to enforce unjust, unnecessary laws. Despite the fact that marijuana usage rates are similar among all racial groups, New Jersey continues arresting Blacks at a higher rate than any other racial group. New Jersey has a choice to make: does it want to spend more than \$143 million each year to enforce these unnecessary, harmful laws, or does it want to collect more than \$300 million each year in revenue? Marijuana legalization makes sense for our finances and for racial justice.”

¹¹ See [Collateral Consequences section in this report pg. 16]

STORIES OF ENFORCEMENT

Omar's story:

Geography is Destiny in One Young Black Man's Arrest

Omar, a Black man in his early 20s, walked from his home in a public housing development to his cousin's home in Newark. An unmarked police car stopped him, and officers claimed they wanted to search him for a weapon. Instead, they found about six grams of marijuana — less than an ounce. But because he had \$80 on him, the officers charged him with intent to distribute within 1,000 feet of public housing or a school.

He was arrested and spent the night in a jail cell at police headquarters.

He was ordered to do community service, but the experience left him anxious. He hopes to re-enroll in college, but he worries this event has derailed his plans.

Omar's story illustrates the geographic disparities in marijuana enforcement. Because Omar lives in public housing within a dense city, in close proximity to schools, a charge for marijuana will almost as a rule be more severe.

Police Target Marijuana Users, Not Dealers

New Jersey's own war on marijuana has not been a war waged on drug dealers or kingpins. Rather, New Jersey police have targeted individuals who commit the lowest-level marijuana possession offense on the books. These are individuals who have small amounts of marijuana for personal use (less than 50 grams of marijuana).

Between 2000 and 2013, almost nine out of 10 arrests for marijuana offenses were for possession of less than 50 grams.

In 2013, 88 percent of marijuana arrests were for small-scale possession, the highest proportion of any year studied.

The Numbers: New Jersey Counties

Marijuana Arrest Rates in Each County Vary Throughout the State

An analysis of marijuana possession arrests in each New Jersey county shows that police take varying approaches to marijuana across the state. While the counties with the largest populations—such as Essex, Bergen, and Monmouth—tend to have the highest number of marijuana possession arrests, other counties, including some with the lowest populations—including Cape May and Salem—tend to have the highest arrest rates.

From 2000 to 2013, 28,993 people were arrested for marijuana possession by law enforcement in Bergen County, but it had only the 12th highest arrest rate of all counties over the same period. In 2013, police in Cape May County arrested people more than three times as often for marijuana possession than police in Hudson County.

“While the counties with the largest populations—such as Essex, Bergen, and Monmouth—tend to have the highest number of marijuana possession arrests, other counties, including some with the lowest populations—including Cape May and Salem—tend to have the highest arrest rates.”

Cape May County has had the highest marijuana possession arrest rate for all but five years since 2000. Gloucester County had the highest rate from 2004 to 2007. The seasonal influx of summer tourists to Cape May County each year may explain the unusually high arrest rate, but we do not have enough data to confirm that hypothesis.

In 2013, Salem County had the second-highest arrest rate of all New Jersey counties, but made the third-fewest number of arrests. Salem’s high arrest rate suggests either that police in Salem County are particularly aggressive in enforcing marijuana possession, or that they are arresting non-residents for possession more frequently than other counties do.

TABLE 5: NUMBER OF MARIJUANA POSSESSION ARRESTS BY COUNTY, TOTAL, 2000 – 2013

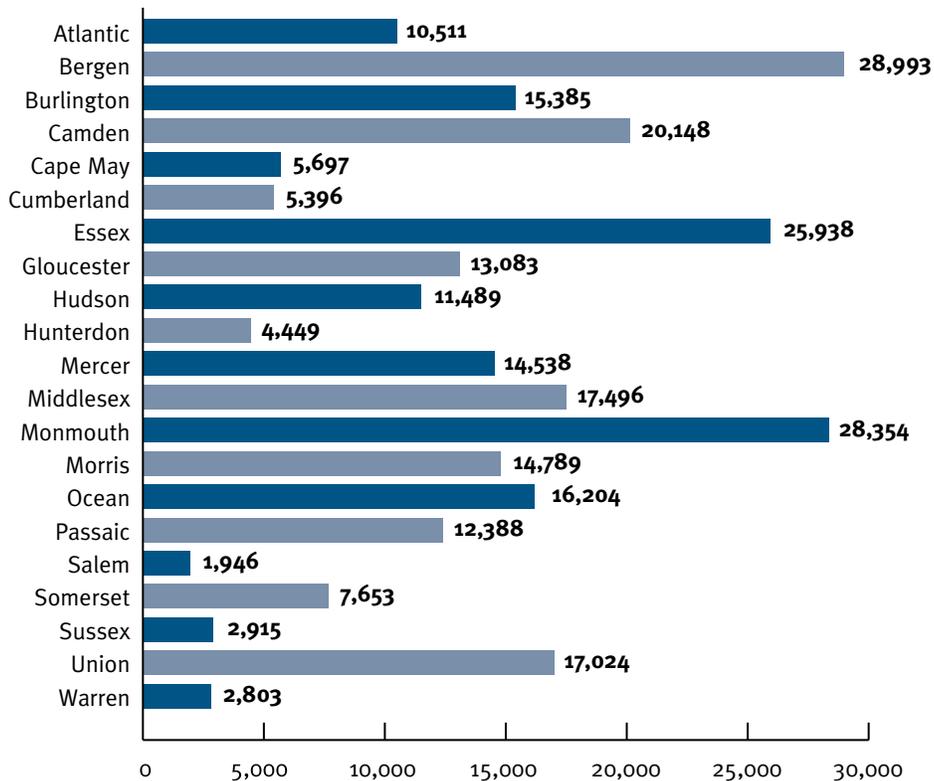


TABLE 6: PER CAPITA ARRESTS — 5 COUNTIES WITH HIGHEST PER CAPITA¹² MARIJUANA POSSESSION ARRESTS (Arrests Per 100,000 People)

Top five counties, 2000 – 2013:

Cape May	411
Gloucester	337
Monmouth	323
Mercer	287
Camden	281

Top five counties, 2013:

Cape May	487
Salem	475
Monmouth	406
Union	364
Cumberland	345

Blacks are Disproportionately Arrested for Marijuana in Every New Jersey County

While Blacks are disproportionately arrested for marijuana possession in every New Jersey county, some counties have particularly egregious enforcement disparities. These counties tend to have the smallest Black populations. For example, from 2000 to 2013, the four counties with the highest Black-to-white racial disparities over the period were Salem (4.5 times); Warren (4.3 times); Hunterdon (4.2 times); and Ocean (4 times). Warren, Hunterdon, and Ocean counties all have Black populations at three percent or lower.

Blacks constitute 15 percent of Salem County, a similar percentage to Passaic and Hudson counties, which have among the lowest racial disparities in the state. Salem County has a particularly high arrest rate—and a very high racial disparity—raising troubling questions about enforcement practices. In 2013, Blacks made up 15 percent of Salem County’s population, but 46 percent of the marijuana possession arrests.

In 2013, Blacks in all but two counties (Sussex and Passaic) were more than twice as likely to be arrested for marijuana possession than whites. In some counties, the disparity was much higher.

¹² The per capita figure here and in all subsequent sections was determined by calculating an arrest rate *per 100,000* residents.

Police in no New Jersey county arrest Blacks and whites at an equal rate or at a rate in which whites are more likely to be arrested than Blacks. In 2013, Passaic County had the lowest racial disparity of any county; there, Blacks were arrested at a rate nearly 30 percent higher than whites. While that rate may appear insignificant in comparison to Ocean County, in which police arrested Blacks at a rate 5.5 times higher than whites, racial disparities are present throughout New Jersey counties despite varying geography, wealth, demographics, or political leadership.

TABLE 7: BLACK/WHITE RACIAL DISPARITY IN ARRESTS OVER TIME BY COUNTY, 2000–2013

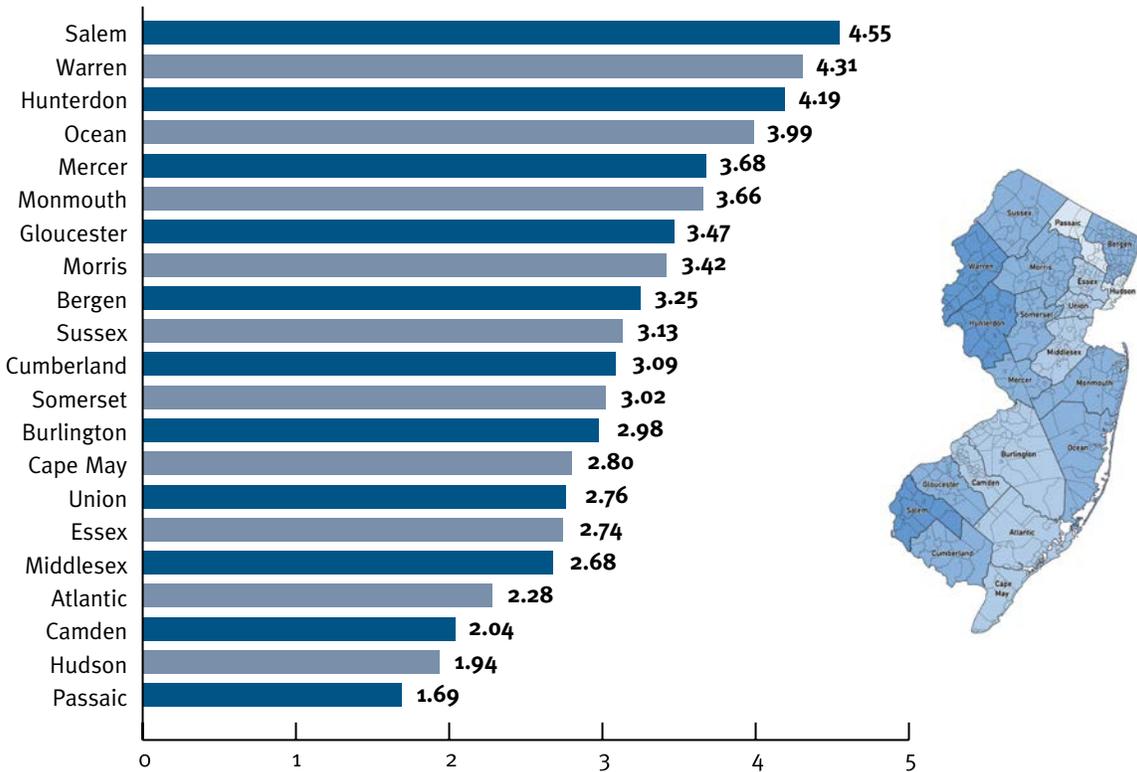
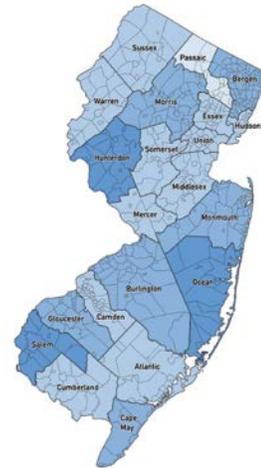
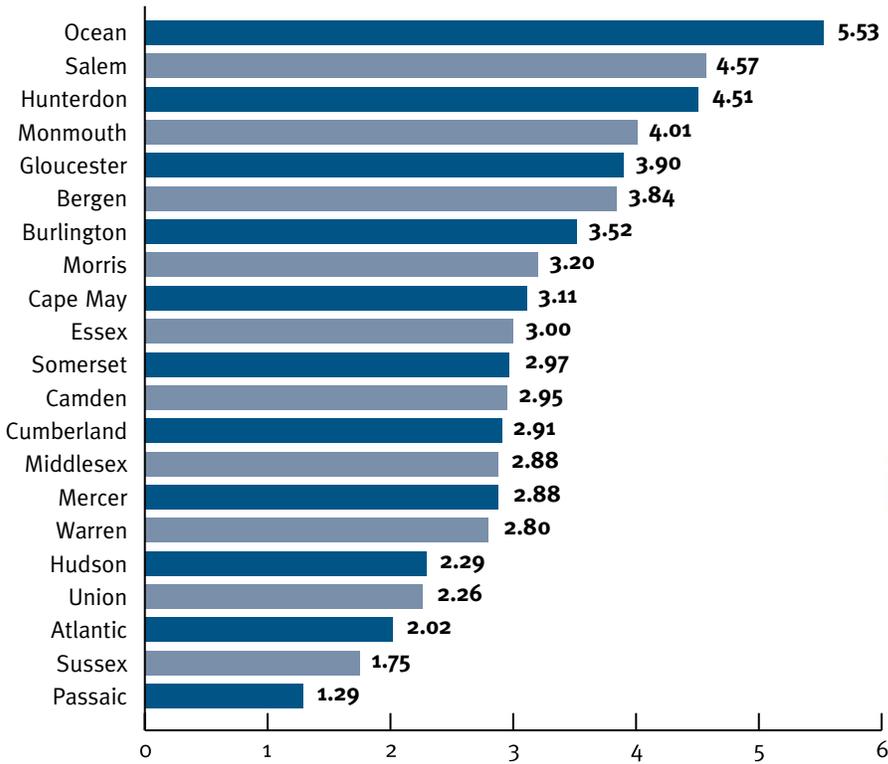
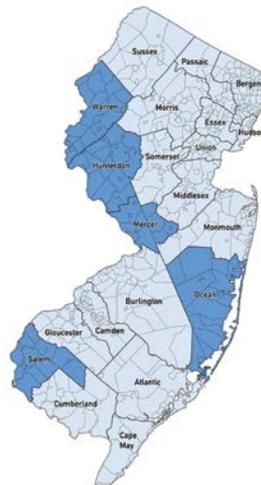
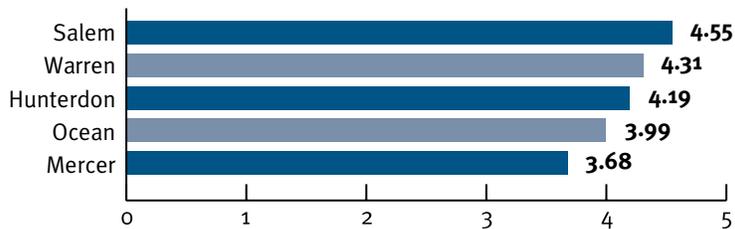


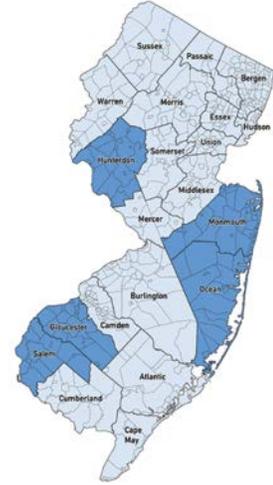
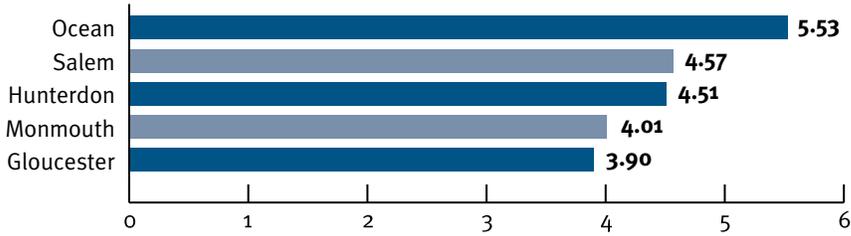
TABLE 8: BLACK/WHITE RACIAL DISPARITY IN ARRESTS BY COUNTY, 2013



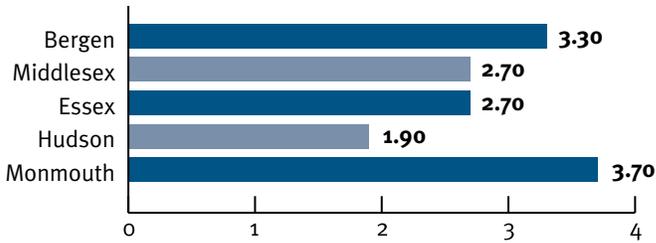
Top five counties with highest racial disparities, 2000 – 2013:



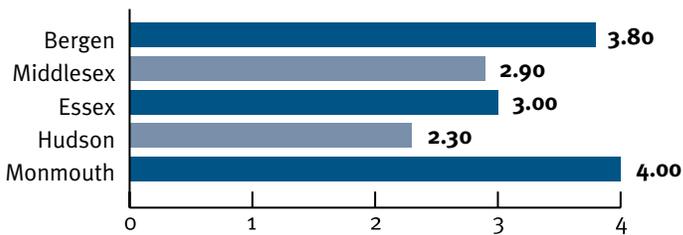
Top five counties with highest racial disparities in 2013:



Top five most populous counties' racial disparities, 2000 – 2013:



Top five most populous counties' racial disparities, 2013:



In a Majority of Counties, At Least 9 Out of 10 Marijuana Arrests are for Small-Scale Possession

In twelve of New Jersey's 21 counties, at least nine out of ten arrests for marijuana were for small-scale possession between 2000 and 2013. In 19 out of 21 counties, that number was at least eight out of ten marijuana arrests.

Across the state, police are focusing their marijuana enforcement resources on arresting individuals who possess the lowest amount for personal possession, less than 50 grams. The counties with the lowest share of small-scale possession arrests trend toward counties that contain large cities. The counties with the three lowest shares of possession arrests between 2000 and 2013, Hudson (67 percent), Passaic (77 percent), and Essex (77 percent), each contain one of New Jersey's three largest cities: Jersey City (second largest), Paterson (third largest), and Newark (largest), respectively. This may indicate that urban police departments make more arrests for dealing marijuana than their counterparts in more rural or suburban communities.

In 2013, possession arrests made up 95 percent—or 19 out of 20—of total marijuana arrests by police in Monmouth County.

This focus on marijuana users, not dealers, raises troubling questions about police priorities if law enforcement's goal is to disrupt the illegal marijuana trade.

PROFILE



Dr. David Nathan, MD. Founder and Board President of Doctors for Cannabis Regulation

(Princeton, NJ)

“Throughout my career as a clinical psychiatrist, I have borne witness to the devastation brought upon cannabis users — not so much by misuse of the drug, but by a justice system that chooses a sledgehammer to kill a weed. The criminal consequences of marijuana use are far worse than the medical consequences. Marijuana possession should be legal for adults, and we should use revenues from marijuana taxation to educate young people about the actual harms caused by its recreational use.”

TABLE 9: ALL COUNTIES' PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION IN NJ, 2013

Monmouth	95%
Cape May	94%
Burlington	94%
Morris	93%
Hunterdon	92%
Atlantic	92%
Gloucester	91%
Warren	91%
Mercer	90%
Somerset	90%
Cumberland	90%
Ocean	89%
Bergen	88%
Sussex	88%
Union	87%
Passaic	85%
Middlesex	85%
Essex	85%
Salem	84%
Camden	84%
Hudson	72%

STORIES OF ENFORCEMENT

Scott's story:

A Medical Marijuana Patient Reports Domestic Abuse and Gets Arrested

The day after Scott kicked his ex-boyfriend out of their apartment in Sussex County, he got an unpleasant surprise: his ex, in his living room, grabbing things to take with him. Their argument escalated when Scott's ex-boyfriend stabbed him in the side, puncturing a lung.

Scott, a white man in his 20s, rushed to the police department to file a report about the assault. Officers searched the home when Scott was treated for his injuries, and they fixated on his marijuana.

Scott, a cardholding medicinal marijuana patient, uses the drug to manage Crohn's Disease. The police still arrested him for possession of marijuana. They also seized his marijuana and smoking apparatuses. His ex was arrested and charged with assault.

A judge ruled that officers had no right to search Scott's home, as his ex was already in custody, and the criminal charges were dropped. But the town appealed, keeping Scott embroiled in the legal system for more than two years after the incident, despite the illegal search and his status as a registered medicinal marijuana patient.

In December 2015, when an appeals court upheld the lower court's ruling, Scott still wasn't sure if he would ever get back his seized possessions.

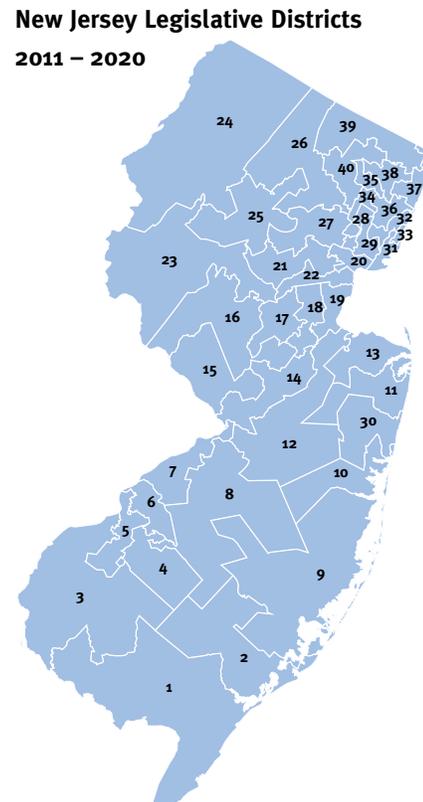
The Numbers: Legislative Districts¹³

Arrest Rates Range Widely Among Legislative Districts, Despite Same Population Size

Each of New Jersey's 40 legislative districts holds approximately 220,000 residents, yet the number of marijuana possession arrests and accompanying arrest rates in each district varies widely. For example, police in the 26th legislative district, which includes parts of Essex, Morris, and Passaic counties, and is currently represented by Senator Joseph Pennacchio (R-Montville), Assemblywoman BettyLou DeCrose (R-Parsippany), and Assemblyman Jay Webber (R-Parsippany), made 218 arrests in 2013. However, police in the 37th legislative district, which includes parts of Bergen County, and is currently represented by Senator Loretta Weinberg (D-Teaneck), Assemblywoman Valerie Vainieri Huttle (D-Englewood), and Assemblyman Gordon Johnson (D-Teaneck), made 1,073 arrests, nearly five times as many as District 26.

Notably, the partisan affiliation of each district's representative also appears to bear no relationship to the arrest practices within a district. In 2013, the 26th legislative district, which was represented by Republicans in the Assembly and Senate, had the lowest arrest rate of any district. The 37th legislative district, represented by Democrats in the Assembly and Senate, had one of the highest. Conversely, the 11th legislative district, which was represented by Republicans, had the third highest arrest rate of any district, while the 31st legislative district, which was represented by Democrats, had the second-lowest.

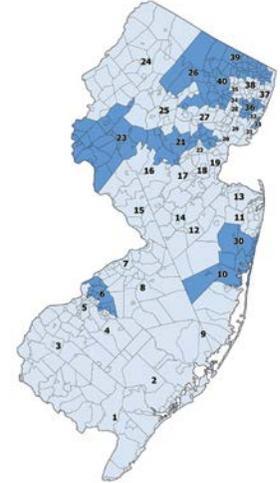
Ultimately, changing New Jersey's laws to end our harmful and broken marijuana prohibition system will depend on the votes of state legislators. These elected officials represent constituents who are being arrested—and dealing with the devastating consequences associated with arrest—on a daily basis. In more than two out of three legislative districts, police made an average of one marijuana possession arrest every day in 2013. In some districts, police made multiple arrests per day on average.



¹³ The legislative districts analyzed here are the districts drawn by the New Jersey Apportionment Commission on April 3, 2011. See New Jersey State Legislative Districts: 2011-2020, <http://www.state.nj.us/state/elections/2011-legislative-districts/statewide-large.pdf>.

TABLE 11: PER CAPITA ARRESTS — 10 LEG DISTRICTS WITH HIGHEST PER CAPITA MARIJUANA POSSESSION ARREST RATES, 2013 (arrests per 100,000 people)

District 28	534
District 37	494
District 11	445
District 1	333
District 3	329
District 7	302
District 8	300
District 25	299
District 39	296
District 30	286



Disturbing Racial Disparities in Arrests in New Jersey’s Legislative Districts

In line with trends statewide, analysis of arrests within New Jersey’s legislative districts reveals severe racial disparities in many districts. Police in 38 out of 40 legislative districts arrest Blacks at a rate higher than whites for marijuana possession. In some districts, these disparities are extreme.

The 21st legislative district, which includes parts of Morris, Somerset, and Union counties, and is currently represented by Senator Tom Kean Jr. (R-Westfield), Assemblyman Jon Bramnick (R-Westfield), and Assemblywoman Nancy Muñoz (R-Summit), has the highest racial disparity of any district in the state. In 2013, Blacks in the 21st district were 11.3 times more likely to be arrested for marijuana possession than whites. Black New Jerseyans make up three percent of the district’s population but constituted 27 percent of the marijuana possession arrests.

There were two legislative districts in the state in which Blacks were underrepresented in arrests in 2013. In the 35th district, which includes parts of Bergen and Passaic counties, and is currently represented by Senator Nellie Pou (D-Paterson), Assemblywoman Shavonda Sumter (D-Paterson), and Assemblyman Benjie Wimberly (D-Paterson), whites were 6 percent more likely to be arrested than Blacks. In the 34th district, which includes parts of Essex County, and is currently represented by Senator Nia Gill (D-Montclair), Assemblywoman Sheila Oliver (D-East Orange), and Assemblyman Thomas Giblin (D-Clifton), whites were 63 percent more likely to be arrested for marijuana possession than Blacks.

While there is no clear correlation between partisan political representation and the racial disparity in arrests, eight of the top 10 districts with the highest racial disparities are represented by Republican lawmakers in both houses of the Legislature. The legislative districts with the highest racial disparities have small Black populations—of the districts with the 10 highest racial disparities in arrests, all but one have Black populations of 7 percent or less. Conversely, of the districts with the 10 lowest Black-to-white racial disparities, all but three have Black populations of 20 percent or more.

The racial disparities present in New Jersey's legislative districts represent a civil rights crisis—but one with a clear solution. It is within the power of state lawmakers to vote to end marijuana prohibition and strike a blow to the severe racial injustices of New Jersey's marijuana arrest practices.

“The racial disparities present in New Jersey’s legislative districts represent a civil rights crisis—but one with a clear solution. It is within the power of state lawmakers to vote to end marijuana prohibition and strike a blow to the severe racial injustices of New Jersey’s marijuana arrest practices.”

P R O F I L E



Richard Smith, President NAACP New Jersey State Conference
(Bridgeton, NJ)

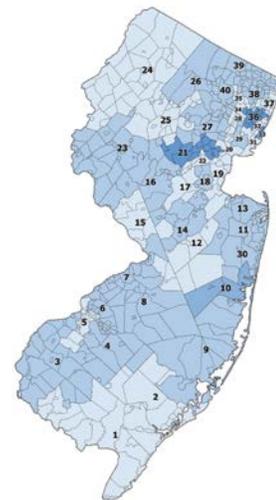
“New Jersey’s marijuana laws are failing people of color. Black New Jerseyans are three times more likely to be arrested for marijuana possession than whites, despite similar usage rates. Taxing, regulating, and legalizing marijuana possession will be a step forward in reducing the disproportionate burden the criminal justice system has placed on people of color in New Jersey. Legalization will eliminate thousands of arrests per year and generate revenue to invest in our communities for education, jobs, and public safety.”

TABLE 12: BLACK/WHITE RACIAL DISPARITY IN ARRESTS BY LEGISLATIVE DISTRICT, 2013

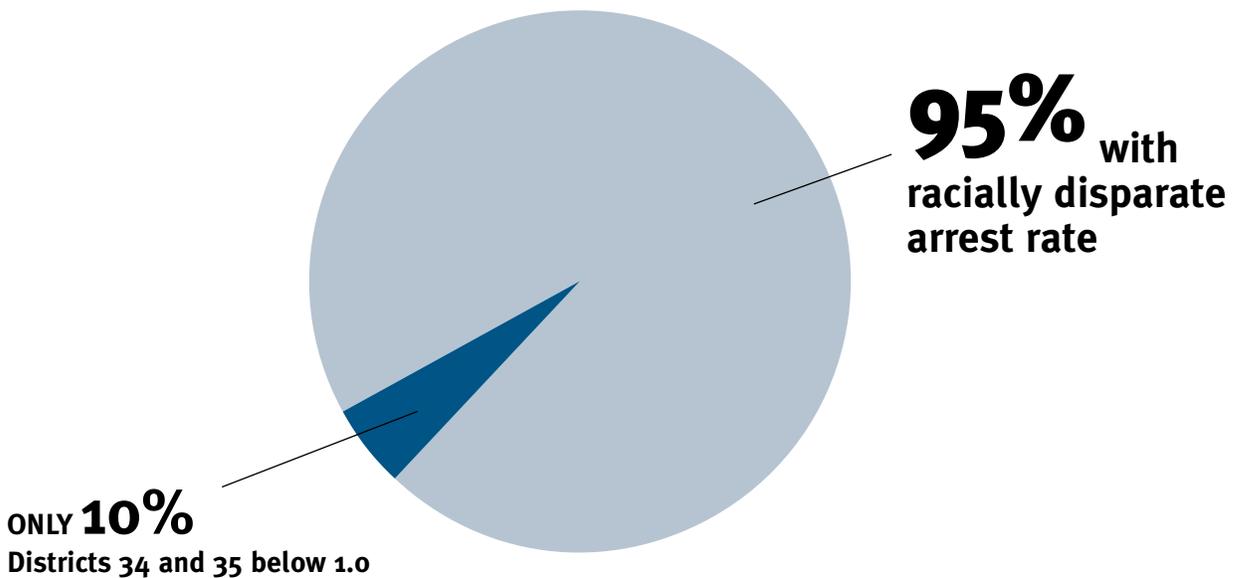
1	2.81	21	11.34
2	2.20	22	2.42
3	4.04	23	5.84
4	3.60	24	2.39
5	1.34	25	2.78
6	4.46	26	5.68
7	3.53	27	3.57
8	4.02	28	2.36
9	4.01	29	3.81
10	8.67	30	4.63
11	4.30	31	1.46
12	2.64	32	1.58
13	3.02	33	9.47
14	3.41	34	0.52
15	2.72	35	0.94
16	3.24	36	9.80
17	2.20	37	2.58
18	3.21	38	4.11
19	2.31	39	4.79
20	2.32	40	4.50

TABLE 13: 10 LEG DISTRICTS WITH HIGHEST RACIAL DISPARITIES, 2013

District 21	11.34
District 36	9.80
District 33	9.47
District 10	8.67
District 23	5.84
District 26	5.68
District 39	4.79
District 30	4.63
District 40	4.50
District 6	4.46



SHARE OF LEGISLATIVE DISTRICTS WITH RACIALLY DISPARATE ARREST RATE, 2013: 38 out of 40.



P R O F I L E

Lisa, mother of a son diagnosed with multiple mental illnesses

(Gloucester County, NJ)

“Marijuana is the only thing that keeps my son alive. He’s been on pretty much everything for his mental illnesses since he was diagnosed eight years ago — you name it, he’s been on it. The side effects of the medications were so bad that he had to stop taking them. They made him suicidal and they made him even more depressed than he was already.”

“Since he started using marijuana, things have been so much better. I have no idea how to get a medical marijuana license for him, so I’ve been buying it illegally, because it’s the only thing that helps him. He would move to Colorado in a heartbeat if he could, but it’s not something we can afford. It would help our family so much if marijuana were legal here.”

Proportion of Arrests That Were For Possession

In a majority of legislative districts, nine out of 10 marijuana arrests are for small-scale possession.

In 36 out of the 40 legislative districts in New Jersey, at least eight out of 10 marijuana arrests are for small-scale possession; for a majority of districts, at least nine out of 10 arrests are for possession.

The 8th legislative district, which includes parts of Atlantic, Burlington, and Camden counties, and is currently represented by Senator Dawn Marie Addiego (R-Medford), Assemblywoman Maria Rodriguez-Gregg (R-Medford), and Assemblyman Joe Howarth (R-Medford), 97 percent of all marijuana arrests in 2013 were for possession of less than 50 grams.

Conversely, in the 31st legislative district, which includes Bayonne and parts of Jersey City in Hudson County, and is currently represented by Senator Sandra Cunningham (D-Jersey City), Assemblyman Nicholas Chiaravalloti (D-Bayonne), and Assemblywoman Angela McKnight (D-Jersey City), 62 percent of marijuana arrests were for small-scale possession, the lowest share of arrests for possession of any district in the state.

The focus of law enforcement resources on arrests of individuals who are found with small amounts of marijuana for personal use is wasteful and contributes little to public safety or public health. New Jersey's legislative leaders should examine the data from their own districts in assessing how limited tax dollars are being spent on marijuana possession enforcement.

P R O F I L E



Rabbi Justus Baird, Auburn Theological Seminary
(Princeton, NJ)

“Every religious tradition I have been blessed to come into contact with, including my own Jewish tradition, inspires and commands adherents to pursue justice and righteousness. A policy and enforcement system that, intentionally or not, is significantly racially unjust demands reform. If there is a reasonable chance that legalizing, regulating, and taxing marijuana will reduce its impact on our children—and I believe legalization will — then we have a moral obligation to try out those policies.”

TABLE 12: 10 LEGISLATIVE DISTRICTS WITH THE HIGHEST PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION, 2013

District 8	97%	District 30	95%
District 11	96%	District 7	94%
District 1	95%	District 25	93%
District 40	95%	District 10	93%
District 16	95%	District 37	93%

The Numbers: Municipal Police Departments¹⁴

Sky-High Arrest Rates in Towns and Cities Throughout New Jersey

Our analysis of marijuana arrest practices by municipal police departments reveals a wide variation in approaches to marijuana enforcement in towns and cities throughout the state. The statewide marijuana possession arrest rate annually from 2000 to 2013 was roughly 230 arrests per 100,000 people per year. Some towns have arrest rates more than ten or 15 times the state average.

What emerges from this study is that arrest rates are heavily determined in many locations by the presence of tourists or temporary visitors. For example, nine out of the 10 towns with the highest arrest rates from 2000 to 2013 are shore towns that draw significantly higher seasonal or daytime populations (including beach-goers) than their year-round residential population. While we do not have seasonal data to determine what share of these arrests take place in the summer months, and do not know whether police specifically target tourists or beach-goers for enforcement, enforcement strategies that focus on visitors of any kind lead to a significantly higher arrest rate than might otherwise be the case.

That said, some municipalities have extraordinarily high arrest rates without any clear explanation. The town of Chester in Morris County had the second highest arrest rate of any town in 2013 at more than 13 times the state average.

Police departments with the highest arrest rates in New Jersey tend to operate in smaller towns. Of the 50 municipalities with the highest arrest rates between 2000 and 2013,

¹⁴ Only municipal police departments that made an average of 30 marijuana possession arrests per year between 2000 and 2013, or made at least 30 arrests in 2013, were included in this analysis.

Trenton is the only one of New Jersey's 50 largest municipalities to make the list. While some large urban police departments make a significant number of marijuana possession arrests, most urban police departments tend to make possession arrests at a relatively lower rate than their suburban or rural counterparts.

TABLE 13: TOP 50 MUNICIPALITIES WITH HIGHEST PER CAPITA MARIJUANA POSSESSION ARRESTS, 2013 (arrests per 100,000 people)

Ocean	SEASIDE PARK	5,028.09	Monmouth	NEPTUNE TWP	785.71
Morris	CHESTER	3,563.64	Camden	BERLIN	779.61
Ocean	SHIP BOTTOM	2,804.57	Bergen	MAYWOOD	778.56
Ocean	BEACH HAVEN	2,757.24	Somerset	SOUTH BOUND BROOK	773.85
Cape May	NORTH WILDWOOD	2,430.44	Sussex	FRANKLIN	765.54
Monmouth	NEPTUNE CITY	2,365.56	Camden	WATERFORD TWP	722.23
Monmouth	ENGLISHTOWN	2,345.95	Salem	PENNSVILLE TWP	692.63
Morris	MENDHAM TWP	2,287.03	Burlington	BURLINGTON TWP	661.63
Ocean	LAKEHURST	1,624.93	Camden	MOUNT EPHRAIM	653.60
Bergen	ROCHELLE PARK TWP	1,504.71	Burlington	MOUNT HOLLY TWP	639.31
Cape May	WILDWOOD	1,434.39	Monmouth	MANASQUAN	634.25
Monmouth	ASBURY PARK	1,307.02	Bergen	FORT LEE	634.15
Ocean	POINT PLEASANT BEACH	1,261.00	Salem	PENNS GROVE	633.57
Bergen	HACKENSACK	1,220.01	Salem	CARNEY'S POINT TWP	625.87
Ocean	SEASIDE HEIGHTS	1,188.80	Cape May	OCEAN CITY	610.54
Bergen	MONTVALE	1,098.03	Camden	STRATFORD	602.18
Union	ROSELLE PARK	1,083.08	Gloucester	PAULSBORO	596.35
Ocean	OCEAN TWP	1,023.88	Bergen	EMERSON	595.17
Burlington	BORDENTOWN	977.81	Passaic	HALEDON	579.49
Monmouth	WALL TWP	929.19	Mercer	HIGHTSTOWN	572.62
Morris	CHESTER TWP	912.36	Morris	EAST HANOVER TWP	562.06
Gloucester	GLASSBORO	814.59	Gloucester	PITMAN	556.17
Morris	BOONTON TWP	804.58	Burlington	BURLINGTON	555.07
Camden	HADDON HEIGHTS	791.55	Monmouth	RED BANK	548.35
Camden	PINE HILL	790.31	Burlington	RIVERSIDE TWP	547.69

TABLE 14: EACH COUNTY'S TOP 3 MUNICIPALITIES WITH HIGHEST PER CAPITA MARIJUANA POSSESSION ARREST RATE, 2000–2013

Atlantic	NORTHFIELD	553.23	Mercer	TRENTON	498.61
Atlantic	EGG HARBOR TWP	387.44	Mercer	HAMILTON TWP	239.79
Atlantic	ATLANTIC CITY	342.96	Middlesex	EAST BRUNSWICK TWP	339.40
Bergen	EDGEWATER	792.97	Middlesex	PLAINSBORO TWP	247.83
Bergen	MONTVALE	572.12	Middlesex	PERTH AMBOY	212.94
Bergen	FORT LEE	461.76	Monmouth	SEA BRIGHT	2,720.15
Burlington	MOUNT HOLLY TWP	712.49	Monmouth	ASBURY PARK	1,323.58
Burlington	BURLINGTON TWP	660.07	Monmouth	NEPTUNE CITY	972.25
Burlington	BURLINGTON	552.23	Morris	HARDING TWP	1,270.10
Camden	MERCHANTVILLE	953.35	Morris	MENDHAM TWP	1,057.58
Camden	BERLIN TWP	580.39	Morris	DENVILLE TWP	454.43
Camden	WINSLOW TWP	473.62	Ocean	SHIP BOTTOM	3,405.36
Cape May	STONE HARBOR	3,693.45	Ocean	SEASIDE HEIGHTS	2,444.96
Cape May	WILDWOOD	2,201.52	Ocean	POINT PLEASANT BEACH	1,340.88
Cape May	NORTH WILDWOOD	1,585.97	Passaic	LITTLE FALLS TWP	417.42
Cumberland	MILLVILLE	393.04	Passaic	RINGWOOD	310.72
Cumberland	VINELAND	368.63	Passaic	CLIFTON	243.04
Cumberland	BRIDGETON	283.79	Salem	PENNS GROVE	790.24
Essex	NEWARK	340.94	Salem	CARNEY'S POINT TWP	480.27
Essex	EAST ORANGE	260.13	Salem	PENNSVILLE TWP	309.41
Essex	IRVINGTON	254.25	Somerset	BERNARDS TWP	268.31
Gloucester	WESTVILLE	847.07	Somerset	HILLSBOROUGH TWP	202.85
Gloucester	PAULSBORO	725.21	Somerset	MONTGOMERY TWP	167.42
Gloucester	WEST DEPTFORD TWP	575.08	Sussex	SPARTA TWP	275.47
Hudson	KEARNY	234.54	Sussex	HOPATCONG	240.88
Hudson	BAYONNE	199.60	Sussex	VERNON TWP	166.01
Hudson	UNION CITY	157.39	Union	ROSELLE PARK	543.42
Hunterdon	RARITAN TWP	763.07	Union	CRANFORD TWP	453.35
Hunterdon	READINGTON TWP	299.22	Union	PLAINFIELD	282.27
Hunterdon	CLINTON TWP	547.34	Warren	POHATCONG TWP	901.88
Mercer	ROBBINSVILLE TWP	515.60	Warren	PHILLIPSBURG	298.20

TABLE 15: EACH COUNTY'S TOP 3 MUNICIPALITIES WITH HIGHEST PER CAPITA MARIJUANA POSSESSION ARREST RATE, 2013

Atlantic	NORTHFIELD	526.04	Mercer	HIGHTSTOWN	572.62
Atlantic	GALLOWAY TWP	359.02	Mercer	ROBBINSVILLE TWP	518.79
Atlantic	VENTNOR CITY	342.59	Mercer	HAMILTON TWP	295.55
Bergen	ROCHELLE PARK TWP	1,504.71	Middlesex	MILLTOWN	454.83
Bergen	HACKENSACK	1,220.01	Middlesex	EAST BRUNSWICK TWP	406.28
Bergen	MONTVALE	1,098.03	Middlesex	SPOTSWOOD	403.54
Burlington	BORDENTOWN	977.81	Monmouth	NEPTUNE CITY	2,365.56
Burlington	BURLINGTON TWP	661.63	Monmouth	ENGLISHTOWN	2,345.95
Burlington	MOUNT HOLLY TWP	639.31	Monmouth	ASBURY PARK	1,307.02
Camden	HADDON HEIGHTS	791.55	Morris	CHESTER	3,563.64
Camden	PINE HILL	790.31	Morris	MENDHAM TWP	2,287.03
Camden	BERLIN	779.61	Morris	CHESTER TWP	912.36
Cape May	NORTH WILDWOOD	2,430.44	Ocean	SEASIDE PARK	5,028.09
Cape May	WILDWOOD	1,434.39	Ocean	SHIP BOTTOM	2,804.57
Cape May	OCEAN CITY	610.54	Ocean	BEACH HAVEN	2,757.24
Cumberland	VINELAND	472.00	Passaic	HALEDON	579.49
Cumberland	BRIDGETON	284.80	Passaic	LITTLE FALLS TWP	436.41
Cumberland	MILLVILLE	193.52	Passaic	CLIFTON	323.86
Essex	NEWARK	466.82	Salem	PENNSVILLE TWP	692.63
Essex	IRVINGTON	439.65	Salem	PENNS GROVE	633.57
Essex	EAST ORANGE	243.38	Salem	CARNEY'S POINT TWP	625.87
Gloucester	GLASSBORO	814.59	Somerset	SOUTH BOUND BROOK	773.85
Gloucester	PAULSBORO	596.35	Somerset	RARITAN	513.23
Gloucester	PITMAN	556.17	Somerset	BRANCHBURG TWP	264.53
Hudson	KEARNY	294.80	Sussex	FRANKLIN	765.54
Hudson	WEST NEW YORK	247.00	Sussex	SPARTA TWP	261.08
Hudson	SECAUCUS	179.83	Sussex	HOPTACONG	222.29
Hunterdon	CLINTON TWP	366.32	Union	ROSELLE PARK	1,083.08
Hunterdon	RARITAN TWP	360.62	Union	CRANFORD TWP	502.32
Hunterdon	READINGTON TWP	355.25	Union	KENILWORTH	433.28

Extreme Racial Disparities Evident in Marijuana Enforcement Throughout New Jersey

While previous analyses of New Jersey marijuana arrest practices have uncovered significant racial disparities at the county level, an examination of New Jersey towns' arrest practices reveals shockingly high racial disparities by police in towns in nearly every corner of the state.

From 2000 to 2013, the towns with the two highest racial disparities in the state were the

“In Hanover, Blacks make up one percent of the population, but 19 percent of the marijuana possession arrests; similarly, in East Hanover, Blacks make up one percent of the population, but 16 percent of the arrests.”

neighboring municipalities of Hanover Township and East Hanover Township in Morris County. In both townships, Blacks were nearly 28 times more likely to be arrested for marijuana possession than whites. In Hanover, Blacks make up one percent of the population, but 19 percent of the marijuana possession arrests; similarly, in East Hanover, Blacks make up one percent of the population, but 16 percent of the arrests. These disparities do not have any clear explanation; more

investigation is needed to determine why police in these towns are arresting Blacks for marijuana possession at such grossly disproportionate rates.

We also see the continued presence of shore towns on the list of municipalities with the highest racial disparities. In 2013, the town with the worst racial disparity was Point Pleasant Beach. There, Blacks were nearly 32 times more likely to be arrested for marijuana possession than whites. In Point Pleasant, Blacks are 1 percent of the population, but made up 23 percent of the marijuana possession arrests. While Point Pleasant undoubtedly has a higher share of Black visitors to the beach than live in town, this extreme racial disparity raises fundamental questions about racial profiling and selective enforcement.

While not all municipalities have racial disparities as excessive as 28 or 32 times as high, Blacks are more likely to be arrested for possession in nearly all of the municipalities we studied. From North Jersey (e.g., in 2013: Hoboken — 8.3 times more likely, Paramus — 8.2 times more likely, Montclair — 4.6 times more likely) to South Jersey (e.g., in 2013: Cherry Hill — 7.4 times more likely, Evesham — 6.6 times more likely, Deptford — 6.2 times more likely), Black New Jerseyans bear the significant brunt of marijuana enforcement practices in cities and towns across the state. These rates are not anomalies or isolated examples; racial disparities in marijuana enforcement are pervasive, consistent, and unacceptable.

TABLE 16: TOP 50 MUNICIPALITIES WITH HIGHEST RACIAL DISPARITIES, 2000–2013

Morris	EAST HANOVER TWP	27.77	Union	ROSELLE PARK	6.93
Morris	HANOVER TWP	27.53	Gloucester	EAST GREENWICH TWP	6.88
Ocean	SEASIDE PARK	18.76	Atlantic	NORTHFIELD	6.70
Union	CRANFORD TWP	18.36	Ocean	OCEAN TWP	6.48
Bergen	MONTVALE	16.27	Passaic	RINGWOOD	6.39
Camden	HADDON TWP	14.63	Bergen	FORT LEE	6.16
Ocean	TOMS RIVER TWP	13.53	Hudson	HOBOKEN	6.10
Bergen	RAMSEY	13.47	Union	WESTFIELD	6.07
Morris	HARDING TWP	12.86	Monmouth	MIDDLETOWN TWP	6.02
Warren	POHATCONG TWP	11.86	Mercer	ROBBINSVILLE TWP	5.93
Salem	PENNSVILLE TWP	10.72	Monmouth	WALL TWP	5.92
Gloucester	WESTVILLE	10.60	Cape May	LOWER TWP	5.90
Monmouth	HAZLET TWP	10.49	Ocean	STAFFORD TWP	5.76
Bergen	PARAMUS	10.29	Bergen	MAYWOOD	5.65
Hunterdon	READINGTON TWP	9.53	Morris	LINCOLN PARK	5.63
Cape May	NORTH WILDWOOD	9.10	Passaic	WAYNE TWP	5.57
Ocean	POINT PLEASANT BEACH	8.87	Camden	CHERRY HILL TWP	5.48
Somerset	BERNARDS TWP	8.57	Camden	MERCHANTVILLE	5.44
Bergen	FAIR LAWN	8.53	Essex	CEDAR GROVE TWP	5.44
Ocean	LAKESWOOD TWP	8.24	Burlington	MEDFORD TWP	5.30
Morris	DENVILLE TWP	7.71	Morris	WASHINGTON TWP	5.27
Camden	GLOUCESTER CITY	7.71	Ocean	MANCHESTER TWP	5.17
Monmouth	HOLMDEL TWP	7.30	Burlington	RIVERSIDE TWP	5.05
Gloucester	MANTUA TWP	7.16	Camden	WATERFORD TWP	5.04
Morris	MENDHAM TWP	6.93	Ocean	LONG BEACH TWP	4.99

TABLE 17: TOP 50 MUNICIPALITIES WITH HIGHEST RACIAL DISPARITIES, 2013

Ocean	POINT PLEASANT BEACH	31.81	Union	WESTFIELD	7.87
Morris	EAST HANOVER TWP	25.56	Gloucester	HARRISON TWP	7.84
Somerset	BERNARDS TWP	23.77	Middlesex	METUCHEN	7.81
Salem	PENNSVILLE TWP	23.60	Union	SUMMIT	7.60
Union	CRANFORD TWP	22.64	Morris	MENDHAM TWP	7.51
Camden	HADDON HEIGHTS	21.90	Monmouth	OCEAN TWP	7.41
Camden	MOUNT EPHRAIM	21.48	Mercer	ROBBINSVILLE TWP	7.38
Monmouth	MANASQUAN	18.79	Camden	CHERRY HILL TWP	7.36
Essex	MILLBURN TWP	17.77	Bergen	FAIR LAWN	7.33
Bergen	RAMSEY	16.93	Ocean	BERKELEY TWP	7.26
Middlesex	MILLTOWN	15.79	Camden	STRATFORD	7.25
Ocean	OCEAN TWP	14.89	Ocean	BRICK TWP	7.05
Ocean	BEACH HAVEN	14.08	Ocean	SEASIDE HEIGHTS	6.88
Burlington	MEDFORD TWP	13.01	Monmouth	ENGLISHTOWN	6.77
Ocean	TOMS RIVER TWP	12.14	Morris	ROXBURY TWP	6.75
Gloucester	PITMAN	12.12	Passaic	RINGWOOD	6.73
Ocean	LAKEWOOD TWP	10.67	Camden	WATERFORD TWP	6.66
Ocean	SEASIDE PARK	10.41	Burlington	EVESHAM TWP	6.57
Monmouth	TINTON FALLS	9.76	Somerset	RARITAN	6.48
Somerset	BRIDGEWATER TWP	9.73	Burlington	RIVERSIDE TWP	6.37
Bergen	MONTVALE	9.68	Gloucester	DEPTFORD TWP	6.25
Cape May	NORTH WILDWOOD	8.92	Union	SPRINGFIELD	6.16
Bergen	ROCHELLE PARK TWP	8.44	Somerset	SOUTH BOUND BROOK	6.15
Hudson	HOBOKEN	8.29	Hunterdon	READINGTON TWP	6.13
Bergen	PARAMUS	8.24	Burlington	BURLINGTON	6.08

TABLE 18: TOP 3 MUNICIPALITIES WITH THE HIGHEST RACIAL DISPARITIES FROM EACH COUNTY, 2000–2013

Atlantic	NORTHFIELD	6.70	Mercer	PRINCETON	4.83
Atlantic	EGG HARBOR TWP	4.31	Mercer	WEST WINDSOR TWP	4.46
Atlantic	VENTNOR CITY	4.21	Middlesex	SOUTH PLAINFIELD	4.94
Bergen	MONTVALE	16.27	Middlesex	EAST BRUNSWICK TWP	4.31
Bergen	RAMSEY	13.47	Middlesex	NEW BRUNSWICK	3.80
Bergen	PARAMUS	10.29	Monmouth	HAZLET TWP	10.49
Burlington	MEDFORD TWP	5.30	Monmouth	HOLMDEL TWP	7.30
Burlington	RIVERSIDE TWP	5.05	Monmouth	MIDDLETOWN TWP	6.02
Burlington	BORDENTOWN TWP	4.57	Morris	EAST HANOVER TWP	27.77
Camden	HADDON TWP	14.63	Morris	HANOVER TWP	27.53
Camden	GLOUCESTER CITY	7.71	Morris	HARDING TWP	12.86
Camden	CHERRY HILL TWP	5.48	Ocean	SEASIDE PARK	18.76
Cape May	NORTH WILDWOOD	9.10	Ocean	TOMS RIVER TWP	13.53
Cape May	LOWER TWP	5.90	Ocean	POINT PLEASANT BEACH	8.87
Cape May	STONE HARBOR	3.47	Passaic	RINGWOOD	6.39
Cumberland	MILLVILLE	4.73	Passaic	WAYNE TWP	5.57
Cumberland	VINELAND	3.06	Passaic	LITTLE FALLS TWP	4.90
Cumberland	BRIDGETON	1.89	Salem	PENNSVILLE TWP	10.72
Essex	CEDAR GROVE TWP	5.44	Salem	CARNEY'S POINT TWP	3.28
Essex	NUTLEY TWP	4.80	Salem	PENNS GROVE	2.40
Essex	MONTCLAIR	3.49	Somerset	BERNARDS TWP	8.57
Gloucester	WESTVILLE	10.60	Somerset	MONTGOMERY TWP	3.62
Gloucester	MANTUA TWP	7.16	Somerset	FRANKLIN TWP	3.27
Gloucester	EAST GREENWICH TWP	6.88	Sussex	SPARTA TWP	3.94
Hudson	HOBOKEN	6.10	Sussex	HOPATCONG	2.33
Hudson	BAYONNE	3.64	Sussex	VERNON TWP	1.41
Hudson	JERSEY CITY	2.22	Union	CRANFORD TWP	18.36
Hunterdon	READINGTON TWP	9.53	Union	ROSELLE PARK	6.93
Hunterdon	RARITAN TWP	4.87	Union	WESTFIELD	6.07
Hunterdon	CLINTON TWP	3.31	Warren	POHATCONG TWP	11.86
Mercer	ROBBINSVILLE TWP	5.93	Warren	PHILLIPSBURG	4.26

TABLE 19: TOP 3 MUNICIPALITIES WITH THE HIGHEST RACIAL DISPARITIES FROM EACH COUNTY, 2013

Atlantic	NORTHFIELD	5.55	Mercer	ROBBINSVILLE TWP	7.38
Atlantic	HAMILTON TWP	5.20	Mercer	HAMILTON TWP	6.05
Atlantic	EGG HARBOR TWP	3.88	Mercer	TRENTON	3.89
Bergen	RAMSEY	16.93	Middlesex	MILLTOWN	15.79
Bergen	MONTVALE	9.68	Middlesex	METUCHEN	7.81
Bergen	ROCHELLE PARK TWP	8.44	Middlesex	SPOTSWOOD	5.69
Burlington	MEDFORD TWP	13.01	Monmouth	MANASQUAN	18.79
Burlington	EVESHAM TWP	6.57	Monmouth	TINTON FALLS	9.76
Burlington	RIVERSIDE TWP	6.37	Monmouth	OCEAN TWP	7.41
Camden	HADDON HEIGHTS	21.90	Morris	EAST HANOVER TWP	25.56
Camden	MOUNT EPHRAIM	21.48	Morris	MENDHAM TWP	7.51
Camden	CHERRY HILL TWP	7.36	Morris	ROXBURY TWP	6.75
Cape May	NORTH WILDWOOD	8.92	Ocean	POINT PLEASANT BEACH	31.81
Cape May	LOWER TWP	4.16	Ocean	OCEAN TWP	14.89
Cape May	WILDWOOD	2.01	Ocean	TOMS RIVER TWP	12.14
Cumberland	MILLVILLE	3.79	Passaic	RINGWOOD	6.73
Cumberland	VINELAND	3.64	Passaic	LITTLE FALLS TWP	4.46
Cumberland	BRIDGETON	2.28	Passaic	CLIFTON	3.74
Essex	MILLBURN TWP	17.77	Salem	PENNSVILLE TWP	23.60
Essex	MONTCLAIR	4.76	Salem	CARNEY'S POINT TWP	2.79
Essex	WEST ORANGE	4.68	Salem	PENNS GROVE	1.55
Gloucester	PITMAN	12.12	Somerset	BERNARDS TWP	23.77
Gloucester	HARRISON TWP	7.84	Somerset	BRIDGEWATER TWP	9.73
Gloucester	DEPTFORD TWP	6.25	Somerset	RARITAN	6.48
Hudson	HOBOKEN	8.29	Sussex	VERNON TWP	4.19
Hudson	NORTH BERGEN TWP	3.05	Sussex	SPARTA TWP	3.27
Hudson	JERSEY CITY	2.87	Union	CRANFORD TWP	22.64
Hunterdon	READINGTON TWP	6.13	Union	WESTFIELD	7.87
Hunterdon	RARITAN TWP	3.59	Union	SUMMIT	7.60
Hunterdon	CLINTON TWP	2.40			

Get the Facts

Marijuana Reform in New Jersey

Marijuana prohibition in New Jersey has failed. It's time for common sense.

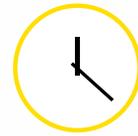
Legalizing, taxing, and regulating marijuana for adults will put an end to the tremendous harms caused by our current laws, create jobs, increase public safety, and generate millions of dollars in revenue to fund projects that help all New Jerseyans.



New Jersey police make more than
24,000 ARRESTS PER YEAR
for marijuana possession.



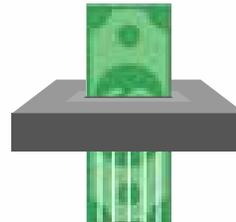
From 2000-2010, police arrested New Jerseyans
nearly 210,000 times for an offense that
SEVERAL U.S. PRESIDENTS
have admitted to doing.



Someone is arrested for
marijuana possession in New Jersey
EVERY 22 MINUTES.



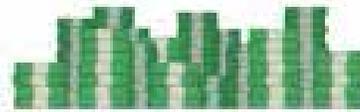
**BLACK NEW JERSEYANS ARE
3X MORE LIKELY TO BE ARRESTED**
for marijuana possession than whites,
despite similar usage rates.



**OVER THE PAST DECADE, NEW JERSEY
WASTED MORE THAN \$1 BILLION**
on police, courts, and jails enforcing
marijuana possession laws.



New Jersey's
MEDICAL MARIJUANA SYSTEM FAILS
to provide patients with the medicine they need.



Taxing and regulating marijuana will
GENERATE MORE THAN \$300 MILLION
per year for New Jersey.

The War on Marijuana Users is Being Waged Town by Town

In some New Jersey towns, marijuana arrests are targeted toward marijuana users—and only users. In 2013, police in 31 towns in this study made all of their marijuana arrests of users for small-scale possession. From 2000 to 2013, police in 25 towns made at least 19 possession arrests out of every 20 marijuana arrests.

Five of the 15 municipalities that had the highest proportion of possession arrests in relation to total marijuana arrests, between 2000-2013, were shore towns. The prevalence of shore towns with high arrest rates, high racial disparities, and a high proportion of possession arrests of total marijuana arrests contributes to the picture of police targeting beachgoers or tourists for small-scale possession offenses. Further data and analysis is needed in order to develop a fuller understanding of arrest practices there, however.

“Municipal police largely focus resources on arrests for small-scale possession.”

Conversely, among the lowest share of possession arrests are Jersey City (58 percent), East Orange (59 percent), and Paterson (63 percent). While some urban departments do make a high proportion of

possession arrests (e.g., Atlantic City at 98 percent), the towns with the highest share of possession arrests tend to be suburban or rural.

Municipalities have the most direct control over local police department enforcement priorities. It is clear that municipal police departments are largely focusing their resources on arresting individuals for small-scale possession. Municipal leaders and police executives should examine their data to deprioritize enforcement against users who possess small amounts of marijuana.

P R O F I L E



Lazaro Cardenas, Latino Action Network
(Freehold, NJ)

“Arresting and incarcerating people who use marijuana amounts to a terrible misuse of our criminal justice resources, yet marijuana possession arrests make up nearly all marijuana arrests statewide—this is a scandal. Our communities remain concerned about those who abuse marijuana. That is why it is so critical that we finally legalize, tax, and regulate it.”

TABLE 20: MUNICIPALITIES WITH 100% OF MARIJUANA ARRESTS FOR POSSESSION, 2013

Atlantic	VENTNOR CITY	100%	Hunterdon	READINGTON TWP	100%
Bergen	NORTH ARLINGTON	100%	Monmouth	ENGLISHTOWN	100%
Bergen	CLOSTER	100%	Monmouth	RED BANK	100%
Bergen	EMERSON	100%	Monmouth	MARLBORO TWP	100%
Burlington	BORDENTOWN	100%	Morris	MONTVILLE TWP	100%
Camden	STRATFORD	100%	Morris	BOONTON TWP	100%
Camden	WATERFORD TWP	100%	Ocean	BEACH HAVEN	100%
Camden	PINE HILL	100%	Ocean	BERKELEY TWP	100%
Cape May	NORTH WILDWOOD	100%	Ocean	LAKEHURST	100%
Cumberland	VINELAND	100%	Ocean	SHIP BOTTOM	100%
Essex	MILLBURN TWP	100%	Passaic	RINGWOOD	100%
Essex	BLOOMFIELD	100%	Somerset	RARITAN	100%
Gloucester	PITMAN	100%	Somerset	SOUTH BOUND BROOK	100%
Gloucester	DEPTFORD TWP	100%	Somerset	BRANCHBURG TWP	100%
Gloucester	WEST DEPTFORD TWP	100%	Union	ROSELLE	100%
Gloucester	MONROE TWP	100%	Bergen	HACKENSACK	100%

P R O F I L E



Leo M. Bridgewater Sr., Veteran, U.S. Army, Operation Iraqi Freedom
(Trenton, NJ)

“After I completed six tours of duty in the U.S. Army during Operation Iraqi Freedom and Operation Enduring Freedom as a soldier and Defense Department contractor, cannabis helped me transition from suffering from post-traumatic stress disorder to living with post-traumatic stress disorder. Cannabis itself is not dangerous. Its illegality is what makes it dangerous. Twenty veteran suicides a day in the U.S. is shameful. The time for full cannabis legalization in the state of New Jersey has come. The longer we wait, the more suffering we enable.”

Recommendations

The findings of this report make explicit that our system of marijuana prohibition is a failure. While support for reform grows wider every year, more New Jerseyans are being arrested for marijuana possession than ever before. Further, the racial disparity in arrests between Blacks and whites continues to grow more severe.

The ACLU-NJ makes the following recommendations to finally end the harms caused to New Jerseyans by our current marijuana laws:

1. Legalize, Tax, and Regulate Marijuana for Adults

Marijuana prohibition has failed. It's time for common sense. New Jersey should legalize, tax, and regulate marijuana for adults. In particular, New Jersey lawmakers should:

Make marijuana use a public health issue, not a police responsibility. New Jersey's legalization law should remove all penalties for adult possession of both marijuana up to one ounce and related accessories. While driving under the influence of marijuana should remain illegal, police should no longer make arrests for possession or use of marijuana. New Jersey should further disentangle its criminal justice system from marijuana enforcement by making public consumption and the most minor distribution offenses civil penalties, not criminal ones. But decriminalization alone is not enough.

Automatically expunge prior marijuana possession convictions. Once New Jersey legalizes and regulates marijuana, those individuals whose records continue to bear marijuana possession offenses that would no longer be considered illegal should have those records automatically expunged. New Jerseyans should not continue to suffer the collateral consequences of a conviction if the behavior they are being punished for is now fully legal.

Reinvest a large portion of tax revenue in impacted communities. Communities, particularly communities of color, that have borne the disproportionate impact of New Jersey's war on marijuana users should be eligible for new programming focused on job training, adult education, re-entry programs, workforce development, affordable housing, and community policing. This "justice reinvestment" will help repair communities that have been unjustly harmed by New Jersey's discriminatory marijuana enforcement practices.

Protect limited "home-grow" of marijuana. Once legal, New Jerseyans should not have to rely on companies or the marijuana industry to possess or use marijuana. The right of New

Jerseyans to grow a limited amount of marijuana for personal use should be protected under the law.

Prevent minors' access to marijuana. New Jersey's regulated marijuana system should implement best practices to keep marijuana out of the hands of minors, including by establishing strict requirements for child-proof packaging, restricting youth-directed advertising, banning employment of minors in the industry, implementing undercover and unannounced inspections, and taking other steps to protect young people.

Spend a portion of tax revenue on drug treatment & prevention. New Jersey must get serious about preventing youth marijuana use by using a portion of the tax revenue generated by legalization to develop and expand evidence-based prevention programs targeted at young people, a state hotline for referrals to treatment, and youth intervention strategies. Further, New Jersey should use revenue to help fill the much-needed treatment and services gap for opioid abuse, including inpatient beds.

Establish strict and effective health and safety requirements. In order to shift the legal framework for marijuana from a criminal justice issue to a public health matter, we must take health and safety very seriously. In particular, New Jersey should ensure accreditation and training requirements for marijuana facilities and workers; enable regular testing of marijuana to determine its health, safety, and potency; establish serving-size limitations; require health-oriented product labeling and child-proof product packaging; institute sanitation controls; and adopt other best practices.

Prevent "Big Marijuana" from dominating the system. The marijuana system in New Jersey should be built with the intention to prevent the harms that can come from such an industry growing too large and powerful, as we have seen in the context of the tobacco industry. With strong regulations, New Jersey can build a legal marijuana system that protects public health and safety. These limits, including a ban on vertical integration and a limit on the number of licenses one company can hold, should prevent any one company from controlling too much of the supply chain and help ensure that more New Jerseyans have an opportunity to partake in the marketplace.

Fix the broken medical marijuana system. Far too many patients that need medical marijuana in New Jersey find themselves unable to access it through New Jersey's broken system. Some have even been forced to leave the state in order to receive needed treatment. In addition to a legalization system, New Jersey's medical marijuana program demands an overhaul to ensure patients are able to access the medicine they need. The program should fully treat marijuana like all other medicine — including ensuring that insurance covers access to the medicine, especially for those who cannot afford it—and regulate it separately in accordance with the laws and benefits we apply to other medicines.

Establish a tax on marijuana that helps undercut the illegal market. New Jersey must establish a marijuana taxation system that encourages consumers to abandon the illegal marketplace and to instead participate in the legal, regulated one. This should include a graduated tax that starts low but grows each year after the market is established. The tax rate should be flexible in order to make the tax high enough to discourage youth access but low enough to respond to realities on the ground as the underground market dissipates.

Ensure that disenfranchised communities can share in economic benefits of the legal marijuana market. New Jersey's regulated marijuana system must be designed to facilitate participation in the marketplace for members of New Jersey communities that may lack access to extensive capital or preexisting industry connections. For legalization to provide the full economic boon it has the potential to provide, the law must make sure that all New Jersey communities, including those that may have had involvement in the underground marijuana industry, are not only permitted, but encouraged to participate in the legal economy. This includes establishing clear conflict-of-interest rules, ensuring that the application process for licenses is not overly burdensome or expensive, and rejecting barriers to entry that would privilege wealthy, out-of-state corporations.

Protect marijuana users from discrimination. New Jersey should create legal protections to ensure that employers can keep their workplaces marijuana-free, but still prohibit workplaces from punishing employees for marijuana use outside of work unless it harms their job performance.

2. Make Marijuana Possession the Lowest Law Enforcement Priority

While municipalities do not have the authority to legalize or decriminalize marijuana possession in New Jersey, they do have the power to make the enforcement of marijuana possession the lowest law enforcement priority. New Jersey towns should join jurisdictions across the country—including San Francisco; Denver; Tacoma, Washington; Fayetteville, Arkansas; Kalamazoo, Michigan; Eureka Springs, Arkansas, and others—and pass ordinances or police department directives that make the enforcement of marijuana possession offenses the lowest law enforcement priority for officers.

3. Require Police Departments to Properly Record Hispanic/Latino Arrest Data

The absence of data on the number of Hispanics/Latinos arrested likely leads to a deceptively lower Black-white racial disparity. The state should require police departments to keep track of the number of Hispanic/Latino arrests for marijuana possession to properly assess the law's impact on the Hispanic/Latino community. The state should also establish common standards for training officers in how to report such information.

4. The New Jersey Attorney General Should Investigate Causes of Racial Disparities in Arrests

With consistent government data that whites and Blacks use marijuana at the same rates, the growing racial disparity in New Jersey’s marijuana possession arrests demands further scrutiny to determine the cause of such disparities. With racial disparities occurring in the vast majority of jurisdictions in the state, New Jersey must take a closer look at the reasons behind these disparities and take steps to end them. This investigation will shed light on persistent racial disparities throughout the New Jersey criminal justice system. The Attorney General has the power and authority to conduct such an inquiry, and the AG’s Office should do so immediately.

5. The New Jersey Attorney General Should Require Police to Regularly Collect and Publish Data on Arrests, Tickets, Stops, Searches, and Other Data

The Attorney General must set strong transparency standards for law enforcement agencies in New Jersey by formally requiring that all agencies document their arrest, summons, stop, and search activities related to, but not limited to, marijuana enforcement. The AG should set uniform guidelines for tracking the data, and require that it be publicly reported on a periodic basis. Transparency about how police agencies are enforcing our laws should not depend on a multi-year analysis by the ACLU-NJ. This information should be regularly collected and provided by New Jersey’s chief law enforcement officer.

P R O F I L E



**Rev. Craig Hirshberg, Former Director, Unitarian Universalist
Legislative Ministry**

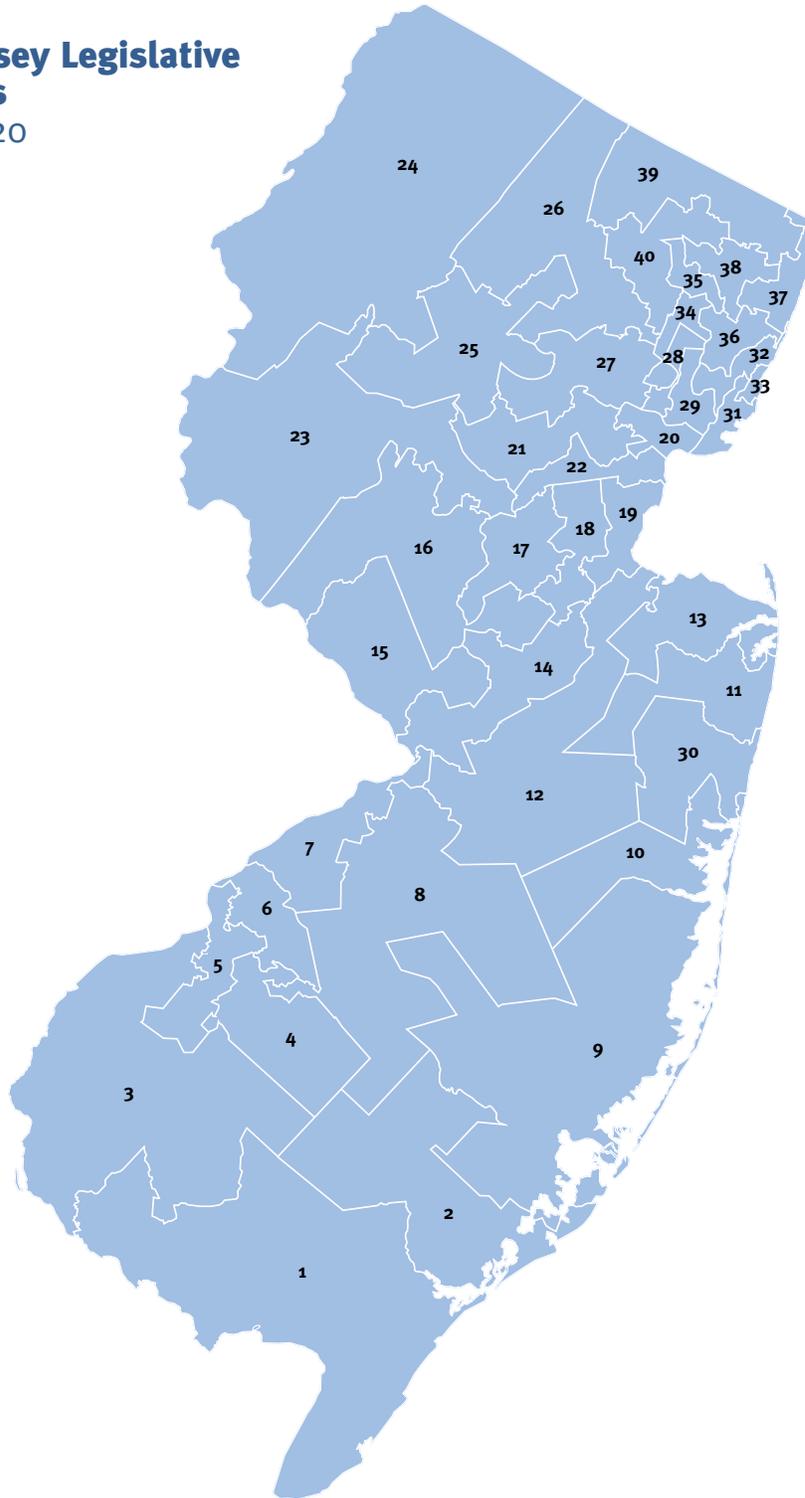
(Somerville, NJ)

“Under the current drug laws, the potential criminal records resulting from minor drug possession charges can have devastating effects upon the life opportunities of many young adults, and especially people of color. The cruel realities of these minor drug arrests have been limited employment, denial of educational financial aid, ineligibility for public housing, destabilized family relationships and lost future income for those caught up in these policies. It’s time to legalize marijuana for adults.”

What Regulation Looks Like

QUESTION	AFTER: REGULATED	NOW: UNREGULATED
Who can legally buy marijuana?	Only adults 21 and over.	No one.
Where can you buy it?	New Jersey licensed stores.	Street corners, parks and playgrounds.
Who gets the money?	Communities, schools, and drug addiction, treatment and prevention programs.	Gangs, corner drug dealers, organized crime.
Who regulates marijuana?	The State of New Jersey with sensible rules and regulations.	No one.
How do we know what's in marijuana?	A tested, labeled product in a safe container with clear indication of strength, and appropriate warnings on it.	We don't.
How many people are arrested for marijuana possession?	Adults over the age of 21 can legally possess one ounce of marijuana.	New Jersey makes over 24,000 arrests per year for simple marijuana possession.
What happens if you drive under the influence of marijuana?	You are arrested.	You are arrested.
How will this impact drug prevention programs for youth?	Funded through marijuana tax revenue.	Woefully underfunded.

**New Jersey Legislative
Districts**
2011-2020



Appendix

For more complete data sets and to see arrest statistics for hundreds of New Jersey municipalities, please visit https://www.aclu-nj.org/marijuana_arrests.

TABLE 21: ALL COUNTIES' AVERAGE PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION IN NJ TOTAL, 2000 — 2013

Burlington	93%	Union	90%
Monmouth	93%	Ocean	89%
Hunterdon	92%	Bergen	88%
Cape May	92%	Camden	88%
Somerset	92%	Middlesex	85%
Gloucester	92%	Salem	84%
Atlantic	91%	Mercer	81%
Morris	91%	Essex	77%
Warren	91%	Passaic	77%
Cumberland	91%	Hudson	67%
Sussex	90%		

TABLE 22: TOP 5 MOST POPULOUS COUNTIES' PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION, 2000 — 2013

Bergen	88%
Middlesex	85%
Essex	77%
Hudson	67%
Monmouth	93%

TABLE 23: TOP 5 MOST POPULOUS COUNTIES' PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION, 2013

Bergen	88%
Middlesex	85%
Essex	85%
Hudson	72%
Monmouth	95%

TABLE 24: NUMBER OF MARIJUANA POSSESSION ARRESTS BY LEGISLATIVE DISTRICT, 2013

District	Total	District	Total	District	Total	District	Total
1	743	11	994	21	565	31	237
2	501	12	292	22	548	32	438
3	731	13	508	23	358	33	318
4	380	14	304	24	335	34	362
5	357	15	243	25	641	35	328
6	527	16	409	26	218	36	524
7	667	17	242	27	425	37	1,073
8	657	18	425	28	1,204	38	503
9	579	19	363	29	560	39	636
10	539	20	582	30	640	40	414

TABLE 25: NUMBER OF MARIJUANA POSSESSION ARRESTS 2011-2013 FOR ALL LEG DISTRICTS

District	Total	District	Total	District	Total	District	Total
1	2,859	11	3,158	21	1,887	31	1,186
2	1,901	12	735	22	1,642	32	1,139
3	2,261	13	1,724	23	1,273	33	743
4	1,242	14	1,752	24	1,202	34	1,782
5	1,936	15	1,206	25	1,904	35	987
6	1,563	16	1,461	26	809	36	1,323
7	1,943	17	1,267	27	1,235	37	2,333
8	2,383	18	1,394	28	2,099	38	2,001
9	1,789	19	1,236	29	3,626	39	2,019
10	1,549	20	1,483	30	1,740	40	1,389

TABLE 26: PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION IN NJ, BY LEGISLATIVE DISTRICT, 2013

1	95%	11	96%	21	91%	31	62%
2	90%	12	88%	22	81%	32	80%
3	88%	13	92%	23	89%	33	83%
4	90%	14	90%	24	89%	34	83%
5	84%	15	90%	25	93%	35	76%
6	90%	16	95%	26	92%	36	76%
7	94%	17	82%	27	92%	37	93%
8	97%	18	87%	28	89%	38	89%
9	91%	19	82%	29	79%	39	90%
10	93%	20	87%	30	95%	40	95%

TABLE 27: TOP 50 MUNICIPALITIES WITH HIGHEST PER CAPITA MARIJUANA POSSESSION ARRESTS, 2000 – 2013 (arrests per 100,000 people)

Cape May	STONE HARBOR	3693.453	Monmouth	KEANSBURG	631.089
Ocean	SHIP BOTTOM	3405.357	Camden	BERLIN TWP	580.385
Monmouth	SEA BRIGHT	2720.151	Gloucester	WEST DEPTFORD TWP	575.080
Ocean	SEASIDE HEIGHTS	2444.957	Bergen	MONTVALE	572.121
Cape May	WILDWOOD	2201.519	Atlantic	NORTHFIELD	553.226
Ocean	SEASIDE PARK	2143.104	Burlington	BURLINGTON	552.233
Ocean	LAKEHURST	1908.840	Hunterdon	CLINTON TWP	547.340
Ocean	LONG BEACH TWP	1612.255	Monmouth	WALL TWP	543.736
Cape May	NORTH WILDWOOD	1585.974	Burlington	RIVERSIDE TWP	543.515
Ocean	POINT PLEASANT BEACH	1340.878	Union	ROSELLE PARK	543.416
Monmouth	ASBURY PARK	1323.578	Cape May	OCEAN CITY	541.983
Morris	HARDING TWP	1270.103	Monmouth	HOLMDEL TWP	538.461
Morris	MENDHAM TWP	1057.580	Gloucester	GLASSBORO	525.003
Monmouth	NEPTUNE CITY	972.246	Mercer	ROBBINSVILLE TWP	515.604
Camden	MERCHANTVILLE	953.354	Gloucester	WOOLWICH TWP	510.171
Warren	POHATCONG TWP	901.878	Mercer	TRENTON	498.609
Gloucester	WESTVILLE	847.073	Gloucester	WOODBURY	497.986
Bergen	EDGEWATER	792.968	Salem	CARNEY'S POINT TWP	480.265
Salem	PENNS GROVE	790.238	Camden	WINSLOW TWP	473.619
Hunterdon	RARITAN TWP	763.073	Bergen	WESTWOOD	469.293
Ocean	OCEAN TWP	731.433	Bergen	FORT LEE	461.764
Gloucester	PAULSBORO	725.208	Morris	DENVILLE TWP	454.430
Burlington	MOUNT HOLLY TWP	712.492	Union	CRANFORD TWP	453.354
Burlington	BURLINGTON TWP	660.073	Bergen	MAHWAH TWP	446.471
Monmouth	KEYPORT	659.367	Morris	MOUNT OLIVE TWP	445.799

TABLE 28: EACH COUNTY'S TOP 3 MUNICIPALITIES IN VOLUME OF MARIJUANA POSSESSION ARRESTS, 2000 — 2013

Atlantic	EGG HARBOR TWP	2,059	Mercer	HAMILTON TWP	3,000
Atlantic	ATLANTIC CITY	1,929	Mercer	ROBBINSVILLE TWP	864
Atlantic	GALLOWAY TWP	1,232	Middlesex	EAST BRUNSWICK TWP	2,271
Bergen	FORT LEE	2,350	Middlesex	WOODBRIIDGE TWP	1,949
Bergen	HACKENSACK	2,062	Middlesex	PERTH AMBOY	1,468
Bergen	MAHWAH TWP	1,557	Monmouth	ASBURY PARK	3,081
Burlington	BURLINGTON TWP	2,009	Monmouth	MIDDLETOWN TWP	2,209
Burlington	EVESHAM TWP	1,376	Monmouth	WALL TWP	1,985
Burlington	MEDFORD TWP	1,203	Morris	MOUNT OLIVE TWP	1,637
Camden	CHERRY HILL TWP	2,975	Morris	DENVILLE TWP	1,043
Camden	WINSLOW TWP	2,491	Morris	MENDHAM TWP	780
Camden	CITY OF CAMDEN ¹	2,120	Ocean	BRICK TWP	2,043
Cape May	WILDWOOD	1,645	Ocean	LAKEWOOD TWP	1,168
Cape May	OCEAN CITY	1,085	Ocean	SEASIDE HEIGHTS	1,074
Cape May	NORTH WILDWOOD	1,030	Passaic	PATERSON	2,550
Cumberland	VINELAND	3,028	Passaic	CLIFTON	2,549
Cumberland	MILLVILLE	1,539	Passaic	PASSAIC	1,599
Cumberland	BRIDGETON	957	Salem	PENNSVILLE TWP	578
Essex	NEWARK	13,310	Salem	PENNS GROVE	545
Essex	EAST ORANGE	2,457	Salem	CARNEY'S POINT TWP	493
Essex	IRVINGTON	1,907	Somerset	HILLSBOROUGH TWP	1,081
Gloucester	WEST DEPTFORD TWP	1,689	Somerset	FRANKLIN TWP	1,070
Gloucester	GLASSBORO	1,408	Somerset	BERNARDS TWP	988
Gloucester	DEPTFORD TWP	1,222	Sussex	SPARTA TWP	740
Hudson	JERSEY CITY	3,622	Sussex	VERNON TWP	578
Hudson	BAYONNE	1,715	Sussex	HOPATCONG	530
Hudson	UNION CITY	1,456	Union	ELIZABETH	3,139
Hunterdon	RARITAN TWP	2,329	Union	PLAINFIELD	1913
Hunterdon	CLINTON TWP	1,043	Union	CRANFORD TWP	1,435
Hunterdon	READINGTON TWP	678	Warren	PHILLIPSBURG	627
Mercer	TRENTON	5,938	Warren	POHATCONG TWP	429

TABLE 29: EACH COUNTY'S TOP 3 MUNICIPALITIES IN VOLUME OF MARIJUANA POSSESSION ARRESTS, 2013

Atlantic	GALLOWAY TWP	136	Mercer	HAMILTON TWP	266
Atlantic	ATLANTIC CITY	125	Mercer	TRENTON	135
Atlantic	EGG HARBOR TWP	115	Mercer	LAWRENCE TWP	94
Bergen	HACKENSACK	536	Middlesex	EAST BRUNSWICK TWP	197
Bergen	FORT LEE	229	Middlesex	WOODBIDGE TWP	173
Bergen	PARAMUS	118	Middlesex	PERTH AMBOY	107
Burlington	BURLINGTON TWP	152	Monmouth	WALL TWP	247
Burlington	EVESHAM TWP	122	Monmouth	NEPTUNE TWP	223
Burlington	MOUNT LAUREL TWP	97	Monmouth	ASBURY PARK	214
Camden	CAMDEN COUNTY POLICE DEPT*	382	Morris	MENDHAM TWP	137
Camden	CHERRY HILL TWP	264	Morris	MOUNT OLIVE TWP	76
Camden	WINSLOW TWP	203	Morris	DENVILLE TWP	75
Cape May	NORTH WILDWOOD	99	Ocean	BRICK TWP	155
Cape May	WILDWOOD	77	Ocean	MANCHESTER TWP	124
Cape May	OCEAN CITY	72	Ocean	LAKEWOOD TWP	109
Cumberland	VINELAND	292	Passaic	CLIFTON	277
Cumberland	BRIDGETON	73	Passaic	WAYNE TWP	122
Cumberland	MILLVILLE	56	Passaic	PATERSON	122
Essex	NEWARK	1315	Salem	PENNSVILLE TWP	94
Essex	IRVINGTON	241	Salem	SALEM	57
Essex	EAST ORANGE	159	Salem	CARNEY'S POINT TWP	51
Gloucester	GLASSBORO	154	Somerset	HILLSBOROUGH TWP	68
Gloucester	DEPTFORD TWP	89	Somerset	FRANKLIN TWP	50
Gloucester	WEST DEPTFORD TWP	74	Somerset	BERNARDS TWP	48
Hudson	JERSEY CITY	342	Sussex	SPARTA TWP	52
Hudson	WEST NEW YORK	126	Sussex	FRANKLIN	39
Hudson	KEARNY	123	Sussex	HOPTACONG	34
Hunterdon	RARITAN TWP	81	Union	ELIZABETH	256
Hunterdon	READINGTON TWP	58	Union	UNION TWP	198
Hunterdon	CLINTON TWP	50	Union	PLAINFIELD	176

* Not a municipality

TABLE 30: TOP 25 MUNICIPALITIES WITH HIGHEST PERCENTAGE OF MARIJUANA ARRESTS THAT WERE FOR POSSESSION, 2000 — 2013¹⁵

Cape May	STONE HARBOR	98.13%	Monmouth	SEA BRIGHT	95.75%
Burlington	MEDFORD TWP	97.01%	Warren	POHATCONG TWP	95.75%
Cape May	OCEAN CITY	96.92%	Morris	LINCOLN PARK	95.57%
Burlington	MOUNT HOLLY TWP	96.67%	Ocean	LAKEHURST	95.36%
Union	ROSELLE	96.50%	Camden	WATERFORD TWP	95.29%
Bergen	HACKENSACK	96.42%	Monmouth	WALL TWP	95.13%
Somerset	HILLSBOROUGH TWP	96.30%	Bergen	MAYWOOD	95.03%
Ocean	SHIP BOTTOM	96.20%	Somerset	BERNARDS TWP	95.02%
Burlington	MOUNT LAUREL TWP	96.14%	Hunterdon	READINGTON TWP	94.77%
Hunterdon	RARITAN TWP	96.13%	Monmouth	ASBURY PARK	94.70%
Ocean	POINT PLEASANT BEACH	96.09%	Gloucester	WEST DEPTFORD TWP	94.64%
Mercer	HAMILTON TWP	95.96%	Burlington	WILLINGBORO TWP	94.60%
Passaic	WAYNE TWP	95.87%			

¹⁵ This figure does not include 2013 data from the Camden County Police Department, but rather only 2000-2013 data from the (City of) Camden Police Department. If 2013 marijuana arrests by the CCPD were added in, the combined arrests from 2000 to 2013 would total 2,502.

A REPORT BY THE AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY



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