

RESOLUTION OPPOSING THE PROHIBITION ON LAW ENFORCEMENT OFFICERS FROM NOTIFYING PARENTS OF UNDERAGE INDIVIDUALS REGARDING A FIRST-TIME OFFENSE OF POSSESSING AND/OR CONSUMING MARIJUANA, HASHISH, CANNABIS AND ALCOHOLIC BEVERAGES

WHEREAS, on February 22, 2021, New Jersey Governor Phil Murphy signed Assembly Bill No. 21, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,” which legalized personal use cannabis for certain adults, subject to State regulation; and

WHEREAS, on that date, Governor Murphy also signed companion legislation, identified as Senate Bill No. 3454, which is alleged to clarify certain provisions regarding marijuana and cannabis use and possession penalties for individuals younger than 21 years old; and

WHEREAS, while this new law prohibits underage possession and consumption of marijuana, a violation is not considered a criminal act or an act of delinquency; and

WHEREAS, this new law also states that as concerns the first offense of an individual younger than 21 years old found in possession of or consuming any amount of marijuana, hashish, cannabis, or alcohol in any public place, including a school, law enforcement officers are prohibited from contacting his/her parents or guardian, to advise them of said possession or consumption; and

WHEREAS, as a result of this wholly counterproductive provision, unless a child chooses to share information with his or her parents or guardian regarding a first offense, those parents or guardian will never come to know about it; and

WHEREAS, this provision is contrary to the very rights of parents and guardians, to play a primary role in monitoring and shaping the deportment of their children; and

WHEREAS, regardless of whether marijuana has been legalized in this State, the Governor and Legislature cannot take the right away from parents and guardians to know if their child has been using marijuana or alcohol.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Wharton, in the County of Morris, State of New Jersey, that it does hereby strongly oppose the provisions of Senate Bill No. 3454 which prevent parental notification when children are found with controlled substances and tie the hands of law enforcement officers who discover underage individuals with alcohol, marijuana, hashish or cannabis, and urges the Governor and Legislature to revisit and revise these seriously detrimental provisions of that Bill.

Dated: March 22, 2021

ATTEST:

BOROUGH OF WHARTON

Gabrielle Evangelista,
Borough Clerk

WILLIAM J. CHEGWIDDEN,
MAYOR