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WHAT REALLY HAPPENS TO MARIJUANA CHARGES IN NEW JERSEY?

I was a Public Defender in Essex County and I was the Public Defender for Kingwood Township for several years. I have been a criminal defense attorney in New Jersey since 1974. I have represented hundreds of people, many on marijuana charges. Nobody gets a felony charge and/or gets sentenced to jail only for personal amounts of marijuana. This is a myth that the marijuana industry puts out.

If someone is caught with a few joints they go to the municipal court. Everyone can get a lawyer. If you cannot afford one then you get a Public Defender.

There is a statutory municipal court program called "conditional discharge." It was set up for these types of offenses. Basically, you go into the program and if you stay out of trouble, they drop the charge and you have no record. It goes away. Even if you have more than a few joints and you get convicted of a minor charge you will not go to jail. You will pay a fine and maybe get probation. After the passage of time you can get your record expunged. You do not need a lawyer for that. You can do it on a state website. Expunged means that it goes away and you have no criminal record.

https://www.njcourts.gov/forms/10557_expunge_kit.pdf

If you get caught with a lot of marijuana and are charged with a felony (in New Jersey we call them misdemeanors) you can get into Pretrial Intervention (PTI). Basically, you are put on probation and evaluated and if you need treatment you get it. When it is over the charges are dropped and you have no criminal record.

If you are a drug offender and have a serious problem you are put in drug court and given treatment.

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A REPORT BY NEW JERSEYANS AGAINST LEGALIZING MARIJUANA
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