

**Board of County Commissioners  
Morris County, New Jersey**

**RES-2021-229**

**WHEREAS**, on February 22, 2021, New Jersey Governor Phil Murphy signed legislation entitled “The New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” to allow adult use of marijuana and decriminalize possession of marijuana and related substances; and

**WHEREAS**, the Governor also affixed his signature to companion legislation, specifically S3454, that purportedly clarified marijuana and cannabis use and possession penalties for individuals younger than 21 years old; and

**WHEREAS**, S3454 created more problems than it solved, primarily because it specifically prohibits law enforcement officers from notifying the parents of an underage individual regarding a first-time offense of possessing and/or consuming marijuana, hashish, cannabis and even alcoholic beverages; and

**WHEREAS**, parents must be encouraged to be involved in the lives of their children, not separated from them by state legislation, especially when minors are found possessing or consuming substances considered problematic enough that the state controls both adult and underage usage; and

**WHEREAS**, various law enforcement organizations have urged the Governor and the New Jersey State Legislature to immediately change this and other provisions of S3454, including the Sheriffs’ Association of New Jersey, the New Jersey State Policemen’s Benevolent Association and Morris County Sheriff James M. Gannon; and

**WHEREAS**, those agencies have noted S3454 additionally prevents officers from initiating an investigatory stop of underage individuals, even if they smell the odor of marijuana, hashish and cannabis, and that officers are prohibited from initiating a search of those individuals even when they observe them openly possessing alcoholic beverages, marijuana, hashish, or cannabis; and

**WHEREAS**, any law enforcement officers found not complying with the provisions of S3454 face criminal penalties, specifically conviction of a third-degree crime that carries the potential of imprisonment for 3 to 5 years, a \$15,000 fine or both.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of the County of Morris that Governor Phil Murphy and the New Jersey State Legislature are strongly urged to revisit and revise provisions of S3454, specifically those identified by the Sheriffs’ Association of New Jersey and the New Jersey State Policemen’s Benevolent Association, which prevent parental notification when children are found with controlled substances and tie the hands of law enforcement officers who discover underage people with alcohol, marijuana, hashish, or cannabis.

---

Debra L. Lynch, Clerk of the Board