Marijuana Series: Governor Murphy's Nominee for Health Commissioner Discusses Marijuana While the NJ State Association of Chiefs of Police Announces Its Opposition to Legalization

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By: Brian P. Sharkey

On March 8, Dr. Shereef Elnahal, Governor Murphy's nominee to become the Commissioner of New Jersey's Health Department, testified before the Senate Judiciary Committee. During his testimony, Dr. Elnahal fielded several questions from Committee members about marijuana, both the State's medicinal program and the question of legalizing marijuana for recreational purposes. With respect to the State's medicinal marijuana program, Dr. Elnahal stressed that improving patient access would be one of his priorities as Commissioner. Dr. Elnahal did not elaborate on how access should be increased, but emphasized that the Department was reviewing all aspects of the program as directed by Governor Murphy's Executive Order No. 6. When presented with questions concerning legalization, Dr. Elnahal explained that he had not seen any analysis related to health issues. However, when asked if there was a connection between increased access to marijuana and opioid abuse, Dr. Elnahal referred to a recent study that showed a 6% decrease in opioid use when medicinal marijuana is readily available, and he also indicated that it will be one of the tools the Department uses in in its efforts to combat opioid abuse in the State. The Committee approved Dr. Elnahal's nomination, which now moves to the full Senate.

The next day, March 9, the NJ State Association of Chiefs of Police ("NJSACOP") issued a press release announcing the organization's opposition to the legalization of marijuana in New Jersey. In doing so, the NJSACOP explained that it was taking that position because "[t]he negative consequences related to the adoption of such legislation far outweigh any perceived benefits. Coming at a time when our communities are struggling with the effects of the opioid and heroin epidemic, the members of the NJSACOP believe the legalization of recreational marijuana will further burden our public health care system, increase organized criminal activity, and affect the welfare of our most vulnerable – our youth and adolescent population." However, the NJSACOP expressed its belief that "common ground can be found on this issue." Specifically, the NJSACOP announced that it "formed a Working Group comprised of law enforcement professionals charged with gathering input from community leaders and healthcare professionals to review current research and engage in a comprehensive discussion. Our position is that the prudent approach, at this time, is to slow the pace and engage in these discussions. It is possible to peel back the layers and find consensus on the societal issues that were the original driving force for this issue. The NJSACOP acknowledges that alternatives to arrest and incarceration must be included in the discussion."

In addition, the NJSACOP reasoned that "more research is required to better understand the long-term effects legalizing

recreational marijuana has had in those states where it has been recently legalized. Research should be publicly funded and independent from self-interest. Finally, it is imperative that this research be well rounded and inclusive of all issues, and not simply those hand-picked leading to a preconceived conclusion. Our view is that the legalization of recreational marijuana is not the answer. The NJSACOP and its membership look forward to working alongside our community stakeholders, public healthcare professionals and government leaders at all levels to find a solution, as well as to address those other issues which affect the health, welfare and quality of life of all our communities."

It will be interesting to see what impact the NJSACOP's opposition has on the status of the legalization bills that are pending in the Legislature, as well as the decriminalization legislation, S1926, that was introduced on February 22 by Senator Rice, a Democrat, and Senator Singer, a Republican. Senators Codey, Cryan, Gill, and Van Drew, all Democrats, are co-sponsors of S1926.