



RICHARD S. GOLDBERG  
Mayor



## Department of Public Safety

### Bureau of Police

Borough of Hawthorne, County of Passaic  
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James W. Knepper  
CHIEF OF POLICE

To the Residents and Parents of the Borough of Hawthorne,

On Monday, February 22, 2021, Governor Murphy signed three laws decriminalizing marijuana and set out orders to have previous convictions and/or pending cases dismissed. This was expected as a majority of New Jersey residents voted to have marijuana legalized. What was not expected was for parents to be denied access to information regarding their child's marijuana or alcohol use.

The Hawthorne Police Department in cooperation with our Mayor, Council, Board of Education and the Municipal Alliance Committee have worked tirelessly over the past 30 years to cultivate positive relationships with the children and parents of Hawthorne. Through the department's community programs such as R.O.A.R., Junior Police Academy, Leadership Camp, Stone Cold and Law Related Education we have made a commitment to Hawthorne's youth. We believe parents deserve and need to know when their children are in dangerous situations. With this new legislation, our ability to advise parents of potential dangers to their children has been drastically inhibited. If an officer encounters a juvenile(s), who is in possession of marijuana and/or alcohol, the following restrictions apply:

- The odor of marijuana or alcohol no longer constitutes reasonable articulable suspicion to initiate a stop of an individual under the age of 21, nor does it provide probable cause to search the person's personal property or vehicle.
- The unconcealed possession of an alcoholic beverage or marijuana that is observed in plain sight shall not constitute probable cause to initiate a search of an individual under the age of 21 or that individual's personal property or vehicle to determine a violation of any law.
- An individual under the age of 21 who possesses marijuana or alcoholic beverages shall not be arrested, detained, or otherwise taken into custody except to the extent required to issue a written warning.
- For an individual under the age of 21 but 18 or older, who possesses marijuana or alcoholic beverages it is simply a warning, there is never any notice to parents or guardians. For persons under 18, first offense is a warning, and the new law forbids officers to contact a parent or guardian; the second offense includes notice to parent or guardian including notice of the first offense.

In reviewing the new policy, what is most concerning to us is the inability to freely communicate with parents. To apply this to a real-life situation, if an officer sees a 15-year-old (or a juvenile of any age) consuming alcohol or smoking marijuana, we CANNOT contact the juvenile's parent/guardian unless this behavior has been twice previously documented. Unless the child chooses to share this information, parents will be left in the dark.

One of our greatest strengths has been to collaborate and connect with all of the stakeholders in Hawthorne. We want to continue to grow positive relationships and build trust within the community. Despite the inherent risk this poses, we will continue to work diligently with the community and its youth.

Respectfully,  
*James W. Knepper*  
Chief of Police  
Hawthorne, N.J. Police Department