

**Registered Medical Marijuana Patient Arrested in New Jersey**      *April 18, 2013 Trenton, NJ -*

If you think medical marijuana patients are no longer getting arrested in New Jersey for possession of marijuana, ask Joseph D'Souza.

Mr. D'Souza now has both a medical marijuana ID card and an arrest record for the first time in his life.

Mr. D'Souza, at 54 years of age, is a survivor of three separate bouts of cancer. His treatment included chemotherapy, radiation therapy and multiple surgeries. His face is permanently disfigured from surgery and he suffers from chronic pain as a result of the cancers. He can no longer work—he's on disability. He qualifies for medical marijuana therapy in New Jersey and, in fact, he has a Medicinal Marijuana Program ID card from the state's Department of Health.

Mr. D'Souza's car was legally parked in Bayonne on February 12th when the police arrived. His vehicle was searched and the police found a small amount of marijuana—less than a gram. Mr. D'Souza said that the marijuana belonged to a passenger. But because Mr. D'Souza was the driver of the car he was arrested for possession of marijuana. He is being punished because someone who obtained marijuana illegally left him holding the bag.

He is outraged that he has an ID card that would allow him to legally possess marijuana but he cannot obtain this medicine because of the months-long wait at the only Alternative Treatment Center that is open in the state. Mr. D'Souza said that he has had his ID card for over four months.

Now Mr. D'Souza feels tremendous stress at being dragged through the criminal justice system. He faces imprisonment and fines he cannot afford. Mr. D'Souza also said there were eight police cars surrounding his car when he was searched and arrested, and a drug dog was brought out. He believes this is a shameful waste of police resources.

He's right.

In the absence of a fully functioning Medicinal Marijuana Program, New Jersey must decriminalize marijuana. The entire Assembly agreed to this in June 2012 and the Senate should take action on this now. Governor Christie has said that he would veto any decriminalization bill that made it to his desk. Mr. D'Souza hopes the governor changes his mind.

Despite acknowledging the failure of the War on Drugs, the governor wants to continue to arrest 20,000 people in New Jersey each year for marijuana offenses. Most of these arrests, like Mr. D'Souza's, involve possession of small amounts of marijuana. It makes no sense.

Moreover, no one knows how many of these arrestees are using marijuana medicinally. It will be decades before New Jersey recognizes the full extent of marijuana's therapeutic potential. Meanwhile, we must stop arresting people like Mr. D'Souza.

Originally scheduled for trial starting May 9th, the hearing has been cancelled and we will update those who wish to support Mr. D'Souza at the courthouse.

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