

Marijuana enforcement differential comes to committee tomorrow

The Bethlehem Gadfly City government, Drugs, Marijuana, Southside March 2, 2020

 Latest in a series of posts about the Southside 

Nate Jastrzemski, "Southside marijuana charges uneven." Bethlehem Press, February 17, 2020.

More than a year ago Bethlehem passed a marijuana decriminalization ordinance giving police the discretion to charge people arrested for possession of a small amount of marijuana either under the harsh federal statute or the less severe City ordinance comparable to receiving a traffic ticket.

'Twas wondered from the beginning how the ordinance would be applied since the Lehigh County District Attorney wanted all cases to be charged under the federal statute. Creating the potential for a boundary dispute. Charged one way one side of the street, another way on the other.

But there's another issue too.

In December Southside District Judge Nancy Matos Gonzalez published a letter calling attention to the fact that Lehigh University police were charging Lehigh students under the lesser penalty while by-and-large the Bethlehem police were using the federal statute — what she saw as a problem for her dispensing fair and equal justice.

Lehigh students get off with a slap on the wrist, Southside residents get hammered.

Gadfly has written about this [here](#) and [here](#).

The Judge's full letter is printed [here](#).

On January 6 the Mayor said that the Police Chief would investigate the county differential, and on January 13 Councilman Reynolds called also for information on application of the laws in the different geographical regions of the City.

The issue in the Southside is particularly crucial because of the racial and social class discrimination implications if there is an uneven application of the law between, for example, Hispanic residents and “privileged” white students.

We would assume that necessary information gathering for tomorrow’s Public Safety Committee meeting would necessitate contacting the various magistrates and gathering statistics. And, like the *Bethlehem Press* reporter above, Gadfly tried 2-3 weeks ago to do a bit of investigating himself to see if that was happening.

The other Southside Judge had not been contacted by the police but reported to Gadfly that during a several month period before Judge Gonzalez’s letter was publicized, the Bethlehem ordinance was not used at all in 117 cases. Another Judge met with me only to say that there had been no contact from Bethlehem police and no statistics were gathered. All other judges would not talk with me at all.

The information from the two Southside judges makes you wonder if Bethlehem police practice is undermining the intent of the recent ordinance decriminalizing the use of small amounts of marijuana, as well as wonder if the ordinance is applied differently in different parts of the city — especially in the heavily Hispanic Southside.

We are hoping for a good discussion based on solid data tomorrow.

The Public Safety Committee is chaired by Michael Colón, with members Grace Crampsie Smith and Olga Negrón. The meeting is 5:30 in Town Hall, before the regular City Council meeting at 7PM.

The Bethlehem Gadfly