



NEW JERSEY SENATE

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April 28, 2010

The Honorable Christopher J. Christie
Governor
State of New Jersey
State House
Trenton, NJ 08625

Dear Governor Christie,

On Monday, an Appellate Division brought a small sliver of sanity into the John Wilson marijuana case by ordering the trial judge to set bail pending appeal. Yesterday, Judge Robert Reed considered the facts of the case, and set bail at \$15,000 – a level well-below the typical bail set for the offenses of which Mr. Wilson was found guilty in March.

While we believe that reasonable bail for a sick man is a step in the right direction, the only true remedy for the injustices committed against Mr. Wilson in this case is that you pardon or commute his sentence to a period of supervised probation. Today, we resubmit our request to you to intercede on Mr. Wilson's behalf and use the power of gubernatorial pardon to keep John Ray Wilson out of prison.

As you know, Mr. Wilson suffers from the chronic disease multiple sclerosis (MS). He was sentenced to five years in prison for growing marijuana for his own use. Mr. Wilson has been incarcerated since March and has lost a considerable amount of weight while in custody. He currently resides in the Southern State Correctional Facility in Gloucester County. It is cruel, unusual and unnecessary to continue to retain him.

We applaud the Appellate Division's clarity in this case in staying Mr. Wilson's sentence while his appeal is pending. Additionally, we applaud Mr. Wilson's trial judge, Robert Reed, for recognizing his initial error in refusing to set bail, and for acknowledging, through the lower-than-usual bail amount, that Mr. Wilson's actions had little relationship with the charges brought against him.

While the “New Jersey Compassionate Use Medical Marijuana Act” was signed into law in January, the measure will not be enacted until June. The statutory framework is in place, and legislative intent has been established. The prosecution and trial judge should not have ignored these important facts in the initial sentencing, but we believe that the decision to grant bail at such a low level stands as a recognition of fault. We cannot jeopardize Mr. Wilson’s health and well-being simply because the enabling regulations have not been put in place for the Medical Marijuana Act.

Again, we urge you to pardon Mr. Wilson from the second-degree offense and commute his sentenced to a period of supervised probation. It’s the right thing to do.

Sincerely,

A handwritten signature in black ink that reads "Ray Lesniak". The signature is written in a cursive style with a large, prominent "R" and "L".

Senator Raymond J. Lesniak

A handwritten signature in black ink that reads "Nicholas P. Scutari". The signature is written in a cursive style with a large, prominent "N" and "S".

Senator Nicholas P. Scutari