

Brach Eichler Poll Shows New Jersey Voters Across All Political Lines Favor Legalizing Marijuana

Roseland, NJ - July 28, 2020 – New Jersey voters across the political spectrum strongly support legalizing the purchase of cannabis from licensed businesses, according to the first in a series of polls conducted by the [Cannabis Law Practice](#) of the law firm Brach Eichler LLC. A whopping 68 percent said they would vote in favor of the November ballot public question, with 26 percent saying they would oppose it, and 6 percent unsure.

The **Brach Eichler Cannabis Poll** found support for the ballot initiative from all political corners – Democrats supported it by 78 to 19 percent; Republicans 57 to 39 percent; and Independents 63 to 27 percent. Interestingly, most of the respondents – 57 percent – said they were not marijuana users and just 17 percent said they used it, 14 percent said they had previously, and 9 percent said they'd consider trying it if it was legalized.

Brach Eichler, a recognized thought leader in cannabis law, was one of the first New Jersey law firms to form a dedicated cannabis law practice committed to providing advice and counsel to businesses and individuals seeking to understand the complex laws surrounding cannabis. The survey, executed by DKC Analytics, questioned 500 registered New Jersey voters from July 7 to 12, 2020. The margin of error is plus or minus 4.4 percentage points.

“As New Jersey voters consider creating a new multi-billion-dollar industry in the heart of largest metropolitan area in the country, we believe it is important to assess the marketplace attitudes and public sentiments about cannabis to help us guide both our clients and regulators,” said [Charles X. Gormally](#), Co-Chair of the Cannabis Law Practice at the firm.

“The polling results confirmed our belief that there is overwhelming support for the creation of a regulated, adult-use cannabis marketplace in New Jersey,” added Co-Chair [John D. Fanburg](#). “Respondents supported it because it will create tremendous opportunity. It will create vitally needed new businesses, the state will receive significant tax revenues and illegal sales will be dramatically reduced, if not eliminated. Voters see this as a win for everyone.”

In addition to confirming widespread support for the public question, which would amend the New Jersey Constitution and allow for the creation of an adult-use cannabis marketplace, the Brach Eichler Cannabis Poll also measured support for “consumption lounges” – akin to bars for cannabis – as well as home delivery, online purchasing, home rule, and how to address the social justice issues resulting from prior criminal convictions for marijuana use or possession.

Fanburg noted some interesting findings from the poll. “Prior legislative efforts to legalize allowed each municipality to decide themselves if cannabis businesses would be allowed in their towns. While home rule was considered an important part of prior legislation, the poll revealed a decidedly split view of the issue. Just 44 percent favored local control, 41 percent opposed it and 15 percent were unsure.” Given the overwhelming support for the creation of the marketplace itself, it appears that most supporters have overcome negative perception that might motivate them to support banning it in their local communities, he added.

“The marketplace for cannabis that ultimately emerges in New Jersey will likely reflect the sentiments and preferences revealed in the Brach Eichler Cannabis Poll,” Gormally noted. For example, opinions varied on where cannabis use should occur. Asked if it should be limited to private property, 71 percent were in favor, with 26 percent opposed. Cannabis consumption lounges were favored by a margin of 50 to 38 percent. Online purchases with home delivery were favored 55 percent to 33 percent. These market features which have become a part of other state’s cannabis markets, appear to have strong support in New Jersey as well.

“One issue that is particularly important to us, is how we should reconcile the social justice impact of the thousands of previous criminal convictions for conduct that will now be considered legal,” Fanburg said. “It is well recognized that minority populations in New Jersey were arrested and incarcerated for cannabis-related offenses disproportionate to non-minority populations.” The poll revealed that 68 percent of respondents felt it was also appropriate to clear the criminal records of anyone convicted of a low-level criminal charge related to marijuana.

“The strong level of support for correcting this decades-old inequality, especially in the context of recent protests of inherent bias in law enforcement, should be well noted by our legislators who will be tasked with correcting this unfortunate consequence of the failed policy of prohibition,” said Gormally, noting that in additional polls later this year Brach Eichler will explore this important issue further.

The Brach Eichler Cannabis Poll also put the results in the context of the upcoming presidential election. A total of 51 percent said they supported the Democratic nominee, former Vice President Joe Biden, compared to 33 percent who said they supported President Donald Trump, the Republican. Another 8 percent were unsure, and 7 percent said they favored another candidate. Given the overarching support for the cannabis public question, it appears that support for Trump or Biden does not impact one’s view on the subject.

Future Brach Eichler Cannabis Polls will gauge how New Jersey voter attitudes about cannabis change as Election Day approaches and will detail how voter and consumer opinion will shape the marketplace in the Garden State.

Brach Eichler LLC is a leader in Cannabis Law representation. Please see our [practice page](#) for thought leadership around medical and recreational cannabis in New Jersey, including our podcast, *Cannabis Realities*; white papers; videos; blogs; and more.

About Brach Eichler LLC

Brach Eichler LLC is a full-service law firm based in Roseland, NJ. With over 80 attorneys, the firm is focused on the following practice areas: Healthcare Law; Real Estate; Litigation; Trusts and Estates; Business Transactions & Financial Services; Personal Injury; Criminal Defense and Government Investigations; Labor and Employment; Environmental and Land Use; Family Law Services; Patent, Intellectual Property & Information Technology; Real Estate Tax Appeals; Tax; and Cannabis Law. Brach Eichler attorneys have been recognized by clients and peers alike in The Best Lawyers in America®, Chambers USA, and New Jersey Super Lawyers.