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Noted.

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LAW ENFORCEMENT: New York Police commissioner **Raymond Kelly** made news in September when he issued an internal memo ordering the **NYPD** to follow the law regarding arrests for marijuana possession. It is noteworthy that cops are obeying the law only because for years they have disregarded it.

The ten years that **Michael Bloomberg** has been New York's mayor and Kelly its police commissioner have seen a dramatic increase in arrests for marijuana possession, which went from under 10,000 in the mid-'90s to more than 50,000 last year. Nearly 90 percent of those detained have been people of color, despite research showing that the majority of marijuana users are white. Many people describe illegal searches where police officers tell people to empty their pockets—or the officers just reach into their pockets—which is prohibited by the NYPD's patrol handbook. The practice often occurs during a "stop and frisk"; any marijuana found by police is confiscated, and officers later claim to the court that the substance was open to public view—the condition defined by law as necessary to charge someone with a misdemeanor. It is this statute that Kelly has now ordered his cops to observe by directing them to arrest people only if they display the marijuana voluntarily.

Kelly's order could produce a welcome outcome: fewer black and brown men locked up and fewer saddled with the severe collateral consequences of a criminal record. Community leaders and police reform advocates should monitor the order's implementation to make certain that the cops don't replace illegal marijuana arrests with another harsh tactic aimed at continuing the harassment and detention of young men of color. **ROBERT GANGI**