



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

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PROPOSED RESOLUTION

URGING THE ILLINOIS GENERAL ASSEMBLY TO FORM A TASK FORCE TO RESEARCH, DEVELOP AND INTRODUCE LEGISLATION FOR LEGALIZING AND REGULATING CANNABIS USE FOR ADULTS IN ILLINOIS

WHEREAS, in 2000, the Office of National Drug Control Policy (ONDCP) attempted to restate the goals of the “War on Drugs”: “to educate and enable America's youth to reject illegal drugs as well as alcohol and tobacco; to increase the safety of America's citizens by substantially reducing drug-related crime and violence; to reduce health and social costs to the public of illegal drugs use; to shield America's air, land, and sea frontiers from the drug threat; and to break foreign and domestic drug sources of supply”; and

WHEREAS, in reality, most scholars agree that despite spending more than \$1 trillion dollars over the last 40 years on the “War on Drugs”, we have succeeded in none of these goals; and

WHEREAS, despite the efforts of the War on Drugs, the health and social costs of drugs increase every year, and drug users are at heightened risk of death, illness and overdose, as the drugs available on the black market are generally less safe. Drugs are no less available than before, our borders are not secure, and treatment is not available to the vast majority of people who need it; and

WHEREAS, in 2010, the Obama Administration’s inaugural National Drug Control Strategy charted a new course in our efforts to reduce illicit drug use and its consequences in the United States by calling for drug policy reform rooted in scientific research on addiction, evidence-based prevention programs, increased access to treatment, a historic emphasis on recovery, and criminal justice reform; and

WHEREAS, the 2013 ONDCP strategy consists of the following goals: “prevent drug use before it ever begins through education; expand access to treatment for Americans struggling with addiction; reform our criminal justice system to break the cycle of drug use, crime, and incarceration while protecting public safety; support Americans in recovery by lifting the stigma associated with those suffering or in recovery from substance abuse disorders”; and

WHEREAS, between 2001 and 2010, there were over 8 million marijuana arrests in the United States, 88% of which were for possession. Marijuana arrests have increased between 2001 and 2010 and now account for over half (52%) of all drug arrests in the United States, and marijuana possession arrests account for nearly half (46%) of all drug arrests; and

WHEREAS, most arrests for marijuana possession do not lead to trials or prison terms. Instead, a large number of these arrests are plea-bargained, continued without a finding, dismissed, or otherwise handled in a manner that makes poor use of limited criminal justice system resources; and

WHEREAS, the criminalization of marijuana use disproportionately harms young people and people of color, sponsors massive levels of violence and corruption, and fails to curb youth access; and

WHEREAS, on average, an African-American is 3.73 times more likely to be arrested for marijuana possession than a Caucasian, even though African Americans and Caucasians use marijuana at similar rates. In the states with the worst disparities, African-Americans were on average over six times more likely to be arrested for marijuana possession than Caucasians. In the worst offending counties across the country, African Americans were 10, 15, even 30 times more likely

to be arrested than Caucasians in the same county. Such racial disparities in marijuana possession arrests exist in all regions of the country, in counties large and small, urban and rural, wealthy and poor, and with large and small African American populations; and

WHEREAS, there have been 1 million arrests for misdemeanor marijuana possession in the State of Illinois from 1975 to 2009 and Illinois ranked sixth in the nation in per-capita marijuana arrest rates in 2007, representing 58 percent of all drug arrests in the state; and

WHEREAS, mirroring national trends, throughout Illinois, non-whites are arrested at a higher rate than whites relative to their representation in the general population. Arrest data from 2007 indicated that disproportionality in drug arrests occurred in 62 of the 102 counties in Illinois, including urban, suburban, and rural areas and that most of the disproportionality in Illinois drug laws was related to drug possession charges, which accounted for nearly 75 percent of felony drug arrests across the state; and

WHEREAS, despite the fact that the City of Chicago decriminalized small amounts of marijuana possession 2 years ago and the number of arrests for marijuana possession have dropped to their lowest level in 12 years, police continue to make an average of 44 arrests a day for misdemeanor possession -more than for any other offense - and 78 percent of those arrested since August 2012 for carrying small amounts of pot were African American, 17 percent were Hispanic, and just 4 percent were Caucasian; and

WHEREAS, marijuana-related arrests in every Cook County municipality, including Chicago, result in staggering costs to County government by virtue of the necessary involvement of the county jail, Sheriff's department, State's Attorney, Clerk of the Court, judiciary, and often times, the Public Defender, annually costing Cook County taxpayers tens of millions of dollars; and

WHEREAS, for the last several years, while Chicago police have made approximately 23,000 arrests a year for marijuana possession, an astounding 97 percent of charges involving 2.5 grams or less were dismissed between 2006 and 2010, creating nothing more than an unnecessary arrest record for some 20,000 individuals; and

WHEREAS, arresting people for cannabis possession does nothing to reduce its use, rather it can often create barriers to living a normal life by negatively impacting public housing and student financial aid eligibility, employment opportunities, child custody determinations, and immigration status, even if as is almost always the case, the charges are dismissed; and

WHEREAS, Law Enforcement Against Prohibition (LEAP), a nonprofit organization made up of current and former members of the law enforcement and criminal justice communities, is speaking out about the failures of our existing drug policies and how they continue to fail to effectively address the problems of drug abuse, especially among juveniles, the problems of addiction, and the problems of crime caused by the existence of a criminal black market in drugs; and

WHEREAS, LEAP'S stated vision is to have a system of legalization and regulation which will end the violence, better protect human rights, safeguard our children, reduce crime and disease, treat drug abusers as patients, reduce addiction, use tax dollars more efficiently, and restore the public's respect and trust in law enforcement; and

WHEREAS, noted neurosurgeon Dr. Sanjay Gupta has stated that marijuana was classified as a Schedule 1 substance, despite evidence that it was not as addictive as alcohol or tobacco; and

WHEREAS, existing evidence from other states and countries show there is no indication that decriminalization of marijuana leads to a measurable increase in its use; and on the effects of marijuana decriminalization on marijuana use provides no indication that decriminalization leads to a measurable increase in marijuana use; and

WHEREAS, a 2005 report by Harvard University Professor of Economics, Dr. Jeffrey Miron, entitled "The Budgetary Implications of Marijuana Prohibition" has been endorsed by more than 530 distinguished economists, who signed an

open letter to then President George W. Bush, The United States Congress, and Governors and State Legislatures across the country calling for “an open and honest debate about marijuana prohibition,” and stated, “We believe such a debate will favor a regime in which marijuana is legal but taxed and regulated like other goods.” Chief among the endorsing economists were three Nobel Laureates in economics: Dr. Milton Friedman of the Hoover Institute, Dr. George Akerlof of the University of California at Berkeley, and Dr. Vernon Smith of George Mason University; and

WHEREAS, approximately \$8.7 billion in savings would result from legalization of marijuana at the national level; and

WHEREAS, the citizens of Colorado and Washington, both States having previously legalized the use of medical marijuana, voted in favor of ballot referendums in 2012 to legalize and regulate the use of recreational marijuana for adults over the age of 21, which were subsequently enacted in 2013; and

WHEREAS, Colorado State's Joint Budget Committee expects to collect approximately \$184 million in tax revenue from recreational marijuana in the first 18 months of legalized sale, and projects tax revenue of about \$610 million when looking at both recreational and medical marijuana sales for that same time period. Washington state budget officials estimate the state will reap about \$134 million in tax revenue generated by marijuana sales in the 2015-2017 biennium; and

WHEREAS, Illinois is facing severe budget and financial constraints and lawmakers face the undesirable choice of deciding between increased taxes or substantial service cuts, creating an intelligent, practical framework of cannabis legalization, regulation and taxation can help address a myriad of problems such as improved health and public safety, reduced criminal justice and jail costs, law enforcement efficacy, black market drug displacement as well as increased revenue for education and treatment protocols.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby urge the Illinois General Assembly to form a task force to research, develop and introduce legislation to legalize and regulate cannabis use in Illinois for adults; and

BE IT FURTHER RESOLVED, that a suitable copy of the Resolution be tendered to the Speaker of the Illinois House of Representatives and the President of the Illinois Senate.

Effective Date: This resolution shall be effective upon adoption.