

COMPLETE TEXT OF INITIATIVE MEASURE NUMBER 75

AN ORDINANCE to Establish a Sensible Marijuana Law Enforcement Policy in Seattle

WHEREAS, Seattle and other Washington taxpayers are burdened by the substantial costs of investigating, arresting, prosecuting and jailing people for charges involving marijuana;

WHEREAS, federal education loans are denied to middle-income and lower-income students pursuant to Congressional amendments to the Higher Education Act where applicant students have been convicted of charges involving marijuana;

WHEREAS, Americans were subjected to more than 700,000 arrests for possession of marijuana and arrests related to marijuana and such arrests accounted for nearly half of all drug arrests in the United States in 2000;

WHEREAS, the failures and harms of the Drug War have fallen most heavily on racial minorities and lower income communities, and no racial or economic group in Washington or the United States has escaped the Drug War unharmed;

Now, Therefore, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

A new section 12A.20.060 of the Seattle Municipal Code is added to read as follows:

SMC 12A.20.060 Enforcement Priority – Marijuana.

A. The Seattle Police Department and City Attorney's Office shall make the investigation, arrest and prosecution of marijuana offenses, where the marijuana was intended for adult personal use, the City's lowest law enforcement priority.

B. On or before December 31, 2002, the President of the City Council shall appoint an eleven (11) member Marijuana Policy Review Panel to assess and report on the effects of this ordinance. The Panel shall consist of two (2) members of the City Council, two (2) citizen members, one (1) drug abuse prevention counselor, one (1) harm reduction advocate, one (1) representative of the Seattle Police Department, two (2) criminal defense attorneys, one (1) representative of the King County Prosecuting Attorney's Office and one (1) representative of the Seattle City Attorney's Office. The President of the City Council shall appoint members to vacancies on the Marijuana Policy Review Panel as necessary. The Marijuana Policy Review Panel shall:

1. Elect a chairperson and meet at least quarterly or more frequently as necessary;
2. By March 31, 2003, establish reporting criteria for the Seattle Police Department and City Attorney's Office to report marijuana arrests and prosecutions; and

3. Submit a comprehensive written report with recommendations to the City Council that will include, but not be limited to, information concerning the public safety, public administration, public health and fiscal impacts of paragraph A. above. This report shall be completed and presented at the first meeting of the full City Council for calendar year 2006.

C. The Seattle Police Department shall report marijuana arrests and the City Attorney's Office shall report marijuana prosecutions, including those undertaken in Seattle by the King County Prosecutor's Office for arrests made in Seattle, to the Marijuana Policy Review Panel on a semi-annual basis in compliance with the criteria established by the Panel.

D. Upon consideration of the report and recommendations submitted by the Marijuana Policy Review Panel pursuant to subparagraph B.3. above, the City Council may modify, repeal or let stand this ordinance.

Severability of provisions

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the terms and provisions to other persons or circumstances shall not be affected.

Please return this petition AS SOON AS POSSIBLE. No petitions can be accepted later than August 10, 2002. Please contact us for more information or to volunteer.



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