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A resolution by Supervisors Moore Omokunde, Alexander, Taylor, Ortiz-Velez, and Shea, encouraging the retroactive decriminalization of marijuana in the State of Wisconsin, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2018, 30 states and the District of Columbia have legalized marijuana for medical and/or recreational use; and

WHEREAS, the neighboring states of Michigan, Illinois, and Minnesota have legalized medical marijuana; and

WHEREAS, the Gallup Poll, a division of Gallup, Incorporated, reports that in over 50 years of surveys about marijuana, support for legalization of marijuana is at a record high, with 64 percent of Americans supporting legalization; and

WHEREAS, the *Washington Post* reported that in spite of the legalization of marijuana occurring in 2016 across the country, 653,249 people were arrested for marijuana-related violations, more than all violent crime arrests combined; and

WHEREAS, an alarming aspect of the substantial number of arrests is the unequal racial application of the law; and

WHEREAS, according to the American Civil Liberties Union (ACLU), across the United States (U.S.) a Black person is 3.73 times more likely to be arrested than a White person for marijuana possession; and

WHEREAS, racial bias is even greater in the State of Wisconsin (the State), as the ACLU reports that a Black person is 5.98 times more likely to be arrested than a White person for marijuana possession; and

WHEREAS, the Wisconsin Justice Initiative found 86 percent of the people arrested for marijuana possession in Milwaukee County (the County) were Black and only nine percent were White, resulting in a felony charge for second offense marijuana possession; and

WHEREAS, the arrest rate is even more disturbing, considering that 66 percent of the County's population is White and only 25 percent is Black, especially considering that Blacks and Whites use marijuana at essentially the same rates according to a 2013 Federal government survey on drug use; and

44 WHEREAS, depending on the type of conviction, a person with a marijuana
45 conviction faces an extensive list of collateral consequences including: loss of
46 Federal financial student aid, loss of eligibility for certain welfare programs or food
47 benefits, removal from public housing, inability to purchase firearms, travel and
48 immigration restrictions, licensing restrictions, and employment restrictions; and
49

50 WHEREAS, additionally, private discrimination based on criminal history can lead
51 to difficulty finding gainful employment; and
52

53 WHEREAS, according to a 2013 article in The Nation, 92 percent of employers
54 conduct background checks, and the likelihood of a callback after a job interview
55 dropped 50 percent for Whites and 65 percent for Blacks when candidates had an
56 arrest record; and
57

58 WHEREAS, an alternative to legalization is decriminalization of marijuana, which
59 can take different forms, but typically means that the first offense for possession is a
60 civil forfeiture that does not require an arrest and does not lead to incarceration or leave
61 the person with a criminal record; and
62

63 WHEREAS, decriminalization is not a novel idea, according to John Hudak's
64 book, *Marijuana: A Short History, between 1975 and 1978*, Alaska, Maine, Colorado,
65 California, Ohio, Minnesota, Mississippi, New York, North Carolina, and Nebraska all
66 decriminalized marijuana; and
67

68 WHEREAS, in 2001, Portugal decriminalized almost all forms of drug use, which
69 has led to lower substance abuse and addiction rates, savings due to drug treatment
70 being less expensive than incarceration, reduction in drug-related violence, and
71 resources freed up in courts and law enforcement; and
72

73 WHEREAS, the American Academy of Pediatrics' supports decriminalization
74 stating that in the U.S., 400,000 youth a year are negatively impacted by criminal
75 prosecution for marijuana possession and that empirical evidence shows
76 decriminalization does not increase marijuana use among youth; and
77

78 WHEREAS, as a strong majority of Americans favor the legalization of marijuana,
79 discrimination and civil rights issues must be addressed and now is the time for
80 retroactive decriminalization in the State; and
81

82 WHEREAS, the Committee on Intergovernmental Relations, at its meeting of
83 October 18, 2018, recommended adoption of File No. 18-760 (vote 4-0); now, therefore,
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85 BE IT RESOLVED, the Milwaukee County Board of Supervisors supports the
86 retroactive decriminalization of marijuana; and
87

88 BE IT FURTHER RESOLVED, upon adoption, the Office of Government Affairs
89 is authorized and requested to communicate the contents of this resolution to all
90 members of the Wisconsin State Legislature and the Governor of Wisconsin.

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