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CITY COUNCIL PASSES ORDINANCE TO REFORM CANNABIS ENFORCEMENT POLICIES BEFORE LEGALIZATION IN 2020

City revises enforcement code to reduce penalties and fines, decriminalize for unlawful possession and align with state law

CHICAGO — The City Council today approved an ordinance that will reform the City of Chicago's enforcement policies, rules and regulations regarding the possession and use of cannabis to reflect its legalization in Chicago and statewide starting on Jan. 1, 2020. Under the ordinance that the City Council approved today, the City's reformed policies will decriminalize possession and consumption of small amounts of cannabis, reduce penalties and fines for unlawful possession and amend the Chicago Police Department's enforcement protocols to ensure public safety and quality of life for all residents across Chicago.

"For far too long, unjust and outdated cannabis enforcement laws have adversely and disproportionately affected Chicago's black and brown neighborhoods," said Mayor Lightfoot. "Today the City Council took an important step forward in preparing Chicago for a safe, responsible and equitable implementation of legalized adult use cannabis. By amending our enforcement rules, we will support our officers in enforcing the new laws and reduce overly punitive fines and fees for minor violations."

As part of the City's efforts to amend antiquated cannabis policies and address the historically disproportionate impact of cannabis enforcement on minority communities, the ordinance will guide the following key changes:

Reduced fines for minor unlawful possession and consumption: First-time unlawful possession and consumption will result in a \$50 fine for the first offense and \$100 for any subsequent minor offenses occurring within 30 days of the first offense. Under previous regulations, which disproportionately impacted low-income communities of color, residents were subject to fines of at least \$250 and up to \$500 for first-time minor offenses and a flat fine of \$500 for any subsequent offense occurring within 30 days of the first offense. In alignment with the Illinois



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Controlled Substances Act, the City's regulations define minor offenses as unlawful possession of no more than 30 grams of any cannabis substance.

Legalization of small amounts of cannabis: Consistent with the state law, residents will be permitted to possess up to 30 grams of cannabis.

Reformed vehicle impoundment procedures: Under the proposed ordinance, current laws will be amended to replace the zero-exception rule requiring the City to impound all vehicles containing cannabis regardless of the amount. Residents will only be subject to impoundment through the municipal code if they are unlawfully purchasing or selling cannabis using their vehicle.

Revised CPD enforcement protocols: To redress the impacts of past criminalization while protecting the health and safety of residents, the new ordinance will amend the Department's enforcement protocols to educate officers on the new rules set forth by the State, as well as amend the Municipal Code to permit the CPD to initiate investigations into violations of the adult use cannabis law. This includes instances of smoking or using cannabis: in any public place; in a motor vehicle; and in any place prohibited under the Smoke Free Illinois Act.

“By overturning outdated cannabis laws, Chicago’s police officers will finally have a smart, sensible and safe framework that truly prioritizes public safety of all residents in this City,” said Superintendent Johnson. “Over the coming months, the Department will be working to ensure every officer has the necessary training and tools needed to enforce these reformed laws and keep Chicago’s communities safe.”

The City is proposing these reforms to provide the Police Department with the necessary tools to initiate investigations into unlawful cannabis use in public or in a vehicle. All CPD officers will be trained on new protocols to lawfully conduct investigations and enforcement actions for any violations of the adult use cannabis law, as well as possession infractions, including possession of unsealed cannabis in a vehicle, school, childcare facility or school bus.

Additionally, the City’s departments and agencies are developing public safety and health information and education campaigns about legal, safe and responsible use of cannabis ahead of its legalization into the new year.

“The disparate cannabis prohibition and prosecution have resulted in unfair and unequal enforcement across Chicago’s communities for decades,” said Alderman Taliaferro, Chairman of the Committee on Public Safety. “I thank Mayor Lightfoot for taking action to not only reform these policies but for working to establish a



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framework that ensures legalization empowers the black and brown communities hit hardest by the war on drugs.”

The cannabis enforcement regulations were developed through a partnership with community advocates, business leaders, policy experts and cannabis professionals. The new enforcement rules, which will go into effect on January 1, 2020, build upon Mayor Lightfoot’s efforts to implement adult-use cannabis in an equitable and safe manner for all communities, and follows on the passage of Chicago’s first zoning requirements for the legalization of cannabis, as well as the creation of a new citywide health campaign by the Department of Public Health to provide precautionary information for those who plan to consume products recreationally.

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