



Roll Call Number

20-1065

Agenda Item Number

71-1(A)

Date June 22, 2020

A RESOLUTION SUPPORTING THE DECRIMINALIZATION OF MARIJUANA AND CREATING A TASK FORCE TO MINIMIZE ENFORCEMENT FOR POSSESSION OF MARIJUANA FOR PERSONAL USE

WHEREAS, as a country, the United States spends billions of dollars each year enforcing marijuana laws; and,

WHEREAS, this enforcement has not had an impact on marijuana usage and has created additional costs for communities and individuals; and,

WHEREAS, an arrest for possession of marijuana can have an impact on housing, student loans, future employment, child custody determinations and many other circumstances; and,

WHEREAS, data shows that marijuana usage is roughly equal among whites and blacks in the United States, but blacks are 3.64 times more likely to be arrested for marijuana possession as whites; and,

WHEREAS, according to a 2020 ACLU report, the state of Iowa had one of the greatest disparity in arrest rates for marijuana possession between blacks and whites, with blacks being over seven times more likely to be arrested than whites.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA as follows:

That the City Council believes that enforcement of marijuana possession for personal use should be the lowest enforcement priority for Des Moines police officers. To implement this position, the City Council hereby creates a six-person volunteer task force consisting of one person appointed by the City Attorney; one member of the Civil and Human Rights Commission; an attorney jointly selected by the NAACP, ACLU and CCI; an attorney with experience in criminal defense matters selected by the City Council; an individual with background in community availability of substance abuse treatment services and resources, and a member of the community with demonstrated interest and involvement in these issues selected by the City Council. The police department shall make a qualified person available for consultation with the task force on technical matters. The City Council selects Gary Dickey Jr. to serve on the task force as the attorney with criminal defense experience and appoints him as the chair of the task force and selects Billy Weathers as the community member of the task force. The task force shall provide recommendations to the Council regarding:



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- 1) any actions the state legislature could take that would facilitate making marijuana a lower enforcement priority; and
- 2) any actions and policies, including but not limited to ordinance changes, that the City could implement under existing state law to make marijuana possession a lower enforcement priority; and

BE IT FURTHER RESOLVED that the task force shall base its recommendations on best practices previously implemented in other cities or states and shall provide its recommendations in a written report and at a Council work session no later than the first Monday in October 2020; provided that nothing in this Resolution is intended to authorize or to take any action that would result in the loss of accreditation of its police officers or loss of accreditation of the Des Moines Regional Police Academy by the State of Iowa or otherwise result in a denial of state or federal funding.

Sponsors: Council Members Mandelbaum, Boesen, Voss and Gatto.

MOVED BY Gatto TO ADOPT

Form Approved:

/s/ Jeffrey D. Lester

Jeffrey D. Lester
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

J. M. Frankin Cownie Mayor

P. Kay Cmelik City Clerk