



Legislation Text

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**File #:** Res 0743-2019, **Version:** \*

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Res. No. 743

Resolution calling on Congress to pass and the President to sign S.1689, known as the "Marijuana Justice Act of 2017," which would amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes.

By Council Members Miller, Adams, Moya, Lander, Ampry-Samuel, Kallos, Rivera and Ayala

Whereas, The Controlled Substances Act (CSA), a federal law adopted in 1970, established a mechanism for drug regulation that involves a drug scheduling system, which classifies drugs into five schedules based on their potential for abuse; and

Whereas, Under the CSA, marijuana is classified as a Schedule I controlled substance, the highest classification that is considered to have the highest abuse potential; and

Whereas, As a Schedule I drug, the use, possession, cultivation, and distribution of marijuana is prohibited under federal and state law; and

Whereas, The enforcement of marijuana prohibitions have disparately harmed African American and Latinx people from low-income communities, resulting in their overrepresentation in the criminal justice system; and

Whereas, The enforcement of marijuana prohibitions create a cascade of collateral consequences for impacted persons, including the loss of housing, employment, and professional license; and

Whereas, Despite the federal prohibition of marijuana, eight states and the District of Columbia have legalized the recreational use of the drug; and

Whereas, U.S. Senator Corey Booker introduced in the U.S. Senate the Marijuana Justice Act of 2017, a landmark bill that would remove marijuana from the list of controlled substances, making it legal at the federal

level; and

Whereas, The Marijuana Justice Act would incentivize states through federal funds to change their marijuana laws if marijuana in the state were illegal, automatically expunge federal marijuana use and possession crimes, and allow incarcerated individuals in federal prison on marijuana possession or use offenses to petition courts for resentencing; and

Whereas, The Marijuana Justice Act would also create a community investment fund to reinvest in communities most impacted by the enforcement of marijuana prohibitions, allowing those funds to be invested in social programs, such as job training, reentry services, community centers and health education; and

Whereas, The passage of the Marijuana Justice Act would benefit low-income communities of color across New York City that have been disproportionately harmed by the enforcement of marijuana prohibition; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign S.1689, known as the "Marijuana Justice Act of 2017," which would amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes.

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KMD