



Legislation Text

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Res. No. 741-A

Resolution calling on the New York State Legislature to introduce and pass and for the Governor to sign legislation that prioritizes individuals with prior marijuana convictions in issuing licenses to sell recreational marijuana and requires other applicants for marijuana licenses to support the hiring of such individuals.

By Council Members Levin, Cumbo, Kallos, Rivera and Ayala

Whereas, Historically, state and local enforcement of marijuana or “marijuana” laws have been strikingly unequal, with low-income communities of color shouldering the brunt of marijuana enforcement, to their great detriment; and

Whereas, According to various sources, enforcement of New York State marijuana laws have disproportionately affected African-American and Latino communities, and both nationally and locally, these arrests have reinforced the perception that law enforcement is biased and prejudiced against minorities; and

Whereas, In 2017, there were reportedly 16,925 arrests made and 21,024 summonses issued in New York City for low level marijuana possession, which overwhelmingly occurred in communities of color; and

Whereas, In New York City, enforcement policies have been amended to move further away from criminalizing the low-level possession and use of marijuana; and

Whereas, As of September 2018, the New York City Police Department committed to issuing criminal summons in lieu of arrests for the majority of persons found smoking marijuana in public; and

Whereas, In July of 2014, Governor Andrew M. Cuomo and the New York State Legislature enacted the Compassionate Care Act legalizing the cultivation, production, distribution, sale, and possession of marijuana for medical use in New York; and

Whereas, In December of 2018, Governor Cuomo announced his full support of statewide legalization

of recreational marijuana, making it an administration priority for early 2019; and

Whereas, Ten states, including New York's neighbor Massachusetts, and the District of Columbia have legalized adult use of recreational marijuana; and

Whereas, Given the likelihood of New York State legalizing the recreational use of marijuana in the near future, the state should promote equitable ownership and participation in commercial marijuana activity; and

Whereas, One way of ensuring such equity would be to give priority to those with prior marijuana convictions when issuing licenses or permits to engage in the production, sale and distribution of marijuana; and

Whereas, Creating such priority system would ensure that ownership and entrepreneurial opportunities are first given to those populations negatively impacted by the decades-old war on drugs, such as low income communities and communities of color; and

Whereas, Additionally, those who receive licenses to sell recreational marijuana should be encouraged to hire individuals who were arrested for and/or convicted of marijuana related offenses, with a particular focus on formerly incarcerated individuals who served time based on marijuana violations, as well as hire locally and provide living wages for individuals employed by marijuana businesses; and

Whereas, In recent years numerous states and municipalities around the country have sought to not only legalize the recreational use of marijuana but also correct the collateral consequences of marijuana-related convictions; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce and pass and for the Governor to sign legislation that prioritizes individuals with prior marijuana convictions in issuing licenses to sell recreational marijuana and requires other applicants for marijuana licenses to support the hiring of such individuals.

WJH
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