1	ORDINANCE NO		
2			
3	AN ORDINANCE TO DECLARE IT THE POLICY OF THE CITY OF		
4	LITTLE ROCK, ARKANSAS, TO MAKE THE INVESTIGATION,		
5	CITATION, ARREST OR SEIZURE OF MISDEMEANOR MARIJUANA		
6	OFFENSES BY ADULTS THE LOWEST LAW ENFORCEMENT		
7	PRIORITY; AND FOR OTHER PURPOSES.		
8	THORIT, IN 12 TON OTHER TONI OBES.		
9	WHEREAS, decades of arresting millions of marijuana users across the Country has failed to control		
10	the use of marijuana or to reduce its availability; and,		
11	WHEREAS, the voters of Arkansas approved the Arkansas Medical Marijuana Amendment of 2016		
12	on November 9, 2016, as Amendment 98 to the Arkansas Constitution which, among other things, legalizes		
13	under Arkansas State Law the cultivation, distribution and use of marijuana for certain purposes; and,		
14	WHEREAS, otherwise law-abiding adults are arrested and subjected to fines and imprisonment for the		
15	mere use of marijuana which, among other things, clogs the dockets of Arkansas Courts and fills cells in		
16	Arkansas jails needed to hold truly dangerous individuals; and,		
17	WILLIAM, such allests often result in the loss of employment, educational opportunities of a		
18	combination of both; and,		
19	WHEREAS, in 2016 alone more than 702 marijuana arrests were made by Officers of the Little Rock		
20	Police Department; and,		
21	WHEREAS, if a student is convicted of possession of marijuana while receiving Federal Student Aid,		
22	then the student becomes disqualified from receiving Federal Student Aid for one (1)-year for the first		
23	offense pursuant to the Higher Education Act of 1998;		
24	WHEREAS, in addition to having a conviction on their criminal record, people convicted of possession		
25	of marijuana face official hurdles to employment such as becoming ineligible for license/registration as		
26	Intern/Pharmacist/Pharmacy Technician pursuant to A.C.A. § 17-92-317.		
27	WHEREAS, it has been estimated that each year more than \$30 million taxpayer dollars are spent to		
28	enforce marijuana laws within the State of Arkansas; and,		
29	WHEREAS, the use of law enforcement resources would be better spent in programs that deal with		
30	serious and violent crimes; and,		
31	WHEREAS, to make mere adult use of marijuana offenses in Little Rock the lowest law enforcement		
32	priority would reduce spending by the City of Little Rock, Arkansas, on law enforcement and punishment;		
33	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY		
34	OF LITTLE ROCK, ARKANSAS:		

1	Section 1. This article shall be known as the Lowest Law Enforcement and Prosecutorial Priority			
2	Policy Ordinance of the City of Little Rock, Arkansas ("the City").			
3	Section 2. Purpose. The purpose of this article is:			
4	(a) To make investigations, citations, arrests, and property seizures for adult misdemeanor			
5	marijuana offenses, where the possession, or use of marijuana was intended only for adult			
6	use, the lowest law enforcement and prosecutorial priority within the City;			
7	(b) To transmit notification of this enactment of this ordinance to all State and Federal			
8	Elected Officials who are directly elected from all or a portion of the corporate limits of			
9	the City;			
10	Section 3. Definitions. For the purpose of this article the following words and phrases shall have			
11	mean:			
12	Adult is a person eighteen (18) years or age or older;			
13	Little Rock Law Enforcement Officer means a Certified Law Enforcement Officer of the Little			
14	Rock Police Department, or any other City entity that engages in law enforcement activity within the			
15	corporate limits of the City;			
16	Lowest Law Enforcement Priority means a priority such that all law enforcement over which the			
17	City has authority shall have a higher priority than the personal adult use of marijuana, other than the			
18	exceptions set forth in this article;			
19	Marijuana means all parts of the cannabis plant including the stalks, seeds, roots, dried leaves,			
20	flowers, oils, vapors, waxes, and other portions of the marijuana plant or preparation of such a plan;			
21	provided, it does not include the weight of any ingredients other than marijuana that are combined with			
22	2 marijuana and prepared for consumption as food or drink;			
23	Section 4. Lowest Law Enforcement Priority Policy.			
24	(a) City Certified Law Enforcement Officers shall make law enforcement activity			
25	relating to marijuana offenses, where the marijuana was intended for adult personal use,			
26	their lowest law enforcement priority. Law enforcement activities relating to marijuana			
27	offenses include, but are not limited to, investigation, citation, arrest, seizure of property.			
28	(b) This Lowest Law Enforcement Priority Policy shall not apply to states that deal with			
29	impaired driving including, but not limited to, driving under the influence of a			
30	controlled substance.			
31	Section 5. Notification of Federal and State Officials.			
32	(a) Beginning three (3) months after the enactment of this article, the City Clerk shall			
33	execute a mandatory and ministerial duty of sending letters on an annual basis to the			
34	member of the United States House of Representatives whose District includes the			
35	corporate limits of the City, both Arkansas United States Senators, any Representative			

1	or Senator in the Arkansas General Assembly whose district includes all or a portion of			
2	the corporate limits of the City, the Governor of the State of Arkansas and the President			
3	of the United States.			
4	(b) This letter shall state, "The City of Little Rock, Arkansas has passed an ordinance to			
5	de-prioritize adult marijuana offenses, where the marijuana is intended for personal use,			
6	and request that the Federal and Arkansas State Governments take immediate steps to			
7	enact similar laws."			
8	(c) The duty to prepare and send such letters shall be carried out until State and Federal			
9	Laws are changed accordingly.			
10	Section 6. Mandatory Enforcement. All sections of this article are mandatory. If any provision of			
11	this article is not carried out properly, any person who is registered to vote in Little Rock may seek a			
12	writ of mandamus to ensure the law is fully implemented.			
13	Section 4. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or			
14	word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or			
15	adjudication shall not affect the remaining portions of the resolution which shall remain in full force and			
16	effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the			
17	resolution.			
18	Section 5. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with			
19	the provisions of this resolution, are hereby repealed to the extent of such inconsistency.			
20	PASSED: June 5, 2018			
21	ATTEST:	APPROVED:		
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23				
24	Susan Langley, City Clerk	Mark Stodola, Mayor		
25	APPROVED AS TO LEGAL FORM:			
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27 28	Thomas M. Carpenter, City Attorney			
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