1 2	ORDINANCE NO
3	AN ORDINANCE TO DECLARE IT THE POLICY OF THE CITY OF
4	LITTLE ROCK, ARKANSAS, THAT THE INVESTIGATION, CITATION,
5	ARREST, SEIZURE, OR PROSECUTION OF MISDEMEANOR
6	MARIJUANA OFFENSES BY ADULTS BE ITS LOWEST LAW
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8	ENFORCEMENT AND PROSECUTORIAL PRIORITY; AND FOR
9	OTHER PURPOSES.
10	WHEREAS, decades of arresting millions of marijuana users across the country has failed to control the use of marijuana or to reduce its availability; and,
12	WHEREAS, the voters of Arkansas approved the Arkansas Medical Marijuana Amendment of 2016
13	on November 9, 2016, as Amendment 98 to the Constitution of the State of Arkansas, which, among other
14	things, legalizes the cultivation, distribution, and use of marijuana for certain purposes within the State of
15	Arkansas; and,
16	WHEREAS, otherwise law-abiding adults are being arrested and subjected to fines and imprisonment
17	for nonviolent marijuana offenses, which has contributed to over-congested court dockets and a decrease
18	in available jail space needed to hold those charged with or convicted of serious and violent crimes; and,
19	WHEREAS, such arrests, even before conviction, can result in the loss of employment for an otherwise
20	productive Arkansan that works hard and pays taxes; and,
21	WHEREAS, pursuant to the Higher Education Act of 1998, students convicted of marijuana possession
22	can become disqualified from receiving Federal Student Aid for a period of one (1)-year or more after such
23	a conviction, disproportionately affecting the ability of low-income Arkansans to improve their lives and
24	the lives of their family members; and,
25	WHEREAS, in addition to having a conviction on their criminal record, individuals convicted of
26	possession of marijuana face official hurdles to employment such as the ineligibility for licensure or
27	registration as an intern, pharmacist, or pharmacy technician pursuant to Ark. Code Ann. § 17-92-317; and,
28	WHEREAS, in the previous five (5) years, 3,790 arrests were made by the Little Rock Police
29	Department for marijuana-related infractions; and,
30	WHEREAS, it has been estimated that each year more than \$30 million taxpayer dollars are spent to
31	enforce marijuana laws within the State of Arkansas; and
32	WHEREAS, the use of law enforcement resources would be better spent on programs that deal with
33	serious and violent crimes, victim advocacy and protection; and crime prevention; and,

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2	WHEREAS, making adult marijuana use and possession offenses the lowest law enforcement priority
3	in the City of Little Rock would reduce expenditures on law enforcement, prosecution, and punishment of
4	these offenses, allowing greater spending on other priorities affecting the health and safety of the residents
5	of the City of Little Rock, Arkansas.
6	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
7	OF LITTLE ROCK, ARKANSAS:
	Section 1. <i>Title.</i> This article shall be known as the Lowest Law Enforcement and Prosecutorial Priority
8	Policy Ordinance of the City of Little Rock, Arkansas, ("the City").
9	Section 2. <i>Purpose</i> . The purpose of this article is to:
10	(a) Make investigations, citations, arrests, property seizures, etc. for adult misdemeanor
11	marijuana offenses, where the possession, or use of marijuana was intended only for
12	adult, personal use, the lowest law enforcement and prosecutorial priority within the
13	City; and,
14	(b) Transmit notification of the enactment of this ordinance to all State and Federal Elected
15	Officials who are directly elected from all or a portion of the corporate limits of the
16	City.
17	Section 3. Definitions. For the purpose of this article, the following words and phrases shall be
18	defined as follows:
19	Adult means a person who is eighteen (18) years of age or older.
20	Little Rock Law Enforcement Officer means a Certified Law Enforcement Officer of the Little Rock
21	Police Department, or any other entity, office, or department of the City that engages in law enforcement
22	activity within the corporate limits of the City.
23	Lowest Law Enforcement Priority means a designation given to a particular type of crime that makes
24	it the least important priority under all other duties and responsibilities of Little Rock Law Enforcement
25	Officers and that requires all law enforcement resources and activities, e.g., investigation, arrests,
26	prevention, searches, seizures, prosecution etc., related thereto be used, as needed, for the enforcement
27	of all other crimes and duties not assigned this designation;
28	Marijuana means all parts of the cannabis plant including the stalks, seeds, roots, dried leaves,
29	flowers, etc., and any preparations or derivatives, including, but not limited to, oils, vapors, waxes, resins,
30	tinctures, and edibles, not including the weight of any ingredients other than marijuana that are combined
31	with marijuana and prepared for consumption as food or drink;
32	Section 4. Lowest Law Enforcement Priority Policy.
33	(a) Little Rock Law Enforcement Officers shall make all law enforcement duties or
34	activity relating to marijuana offenses, where the marijuana is intended for adult
35	personal use, their lowest law enforcement priority. Law enforcement duties and

34 35	Susan Langley, City Clerk Frank Scott, Jr., Mayor
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32	ATTEST. ATTRUVED:
30 31	PASSED: May 18, 2021 ATTEST: APPROVED:
29	such inconsistency. DASSED: May 18, 2021
28	authority, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of
27	Section 8. <i>Repealer.</i> All laws, ordinances, resolutions, or parts of the same, over which the City has a subscript that are inconsistent with the previous of this resolution, are horsely repealed to the extent of
26	effect as if the portion so declared or adjudged were not originally part of the resolution.
25	adjudication shall not affect the remaining portions of the resolution, which shall remain in full force an
24	or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration of
23	Section 7. Severability. In the event that any title, section, paragraph, item, sentence, clause, phrase
22	mandamus to ensure the law is fully implemented.
21	this article is not carried out properly, any person who is registered to vote in the City may seek a writ of
20	Section 6. <i>Mandatory Enforcement.</i> All sections of this article are mandatory. If any provision of
19	Laws are changed accordingly.
18	(c) The duty to prepare and send such letters shall be carried out until State and Federal
17	the State of Arkansas take immediate steps to enact similar laws."
16	personal use, and requests that the governments of the United States of America and
15	to de-prioritize adult marijuana offenses, where the marijuana is intended for
14	(b) This letter shall state, "The City of Little Rock, Arkansas, has passed an ordinance
13	Arkansas, and the President of the United States.
12	all or a portion of the corporate limits of the City, the Governor of the State of
11	Representative or Senator in the Arkansas General Assembly whose district includes
10	includes the corporate limits of the City, both Arkansas United States Senators, any
9	to the members of the United States House of Representatives whose District
8	shall execute the mandatory and ministerial duty of sending letters on an annual basis
7	(a) Beginning three (3) months after the enactment of this article, the Clerk of the City
6	Section 5. Notification of Federal and State Officials.
5	or gun-related crimes, or those designed to prevent physical injury to others.
4	with driving under the influence, the operation of machinery while impaired, violent
3	(b) This Lowest Law Enforcement Priority Policy shall not apply to Statutes that deal
2	citation, arrest, and the seizure of property.
1	activities relating to marijuana offenses include, but are not limited to, investigation,

APPROVED AS TO LEGAL FORM: 1 2 3 4 **Thomas M. Carpenter, City Attorney** 5 // 6 // 7 // 8 // 9 // 10 // // 11 12 // 13 // 14 // // 15 // 16 // 17 18 // 19 // 20 // 21 // 22 // 23 // 24 // // 25 26 // 27 // 28 // 29 // 30 // 31 // 32 // 33 // 34 //

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