



CITY OF MILWAUKEE

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State bill would erase city's move to decriminalize marijuana possession, increase minimum penalty to \$100

Statement from members of the Common Council: Alderman Nik Kovac, Alderman Ashanti Hamilton, Alderman Cavalier Johnson, Alderman Robert J. Bauman, Alderwoman Nikiya Dodd, Alderwoman JoCasta Zamarripa, Alderwoman Chantia Lewis, Alderman Michael J. Murphy, Alderman José G. Pérez, Alderwoman Marina Dimitrijevic, and Alderman Russell W. Stamper, II

A proposed bill in the state Legislature would create a minimum penalty of \$100 for getting caught with half an ounce of marijuana or less – essentially erasing Milwaukee's ordinance that sets fines of \$0 to \$50 for those receiving first-time tickets for possession.

We support the 2015 ordinance that reduced the penalty for possession of less than 25 grams from a minimum of \$500 to between \$0 and \$50, and are troubled that this proposal takes us in the opposite direction.

This would make things much worse here in Milwaukee – a diverse community where the numbers show huge historical disparities in the fines, charges and incarceration rates for black and brown people for possessing marijuana.

One of the primary intentions of the 2015 ordinance was to bring the penalty down low enough where it would not be worth writing a ticket for possession. According to data from the Municipal Court, that's exactly what has happened:

- In 2010, there were 384 juvenile marijuana possession charges in the city, and by 2021 (through Oct. 31) that number had dropped 95% to 19 charges.
- In 2010, there were 2,286 adult marijuana possession charges in the city, and by 2021 (through Oct. 31) that number had dropped 82% to 403 charges.

-More-

Strangely, despite the minimum \$100 penalty it proposes for possessing 14 grams or less, the bill keeps in place a provision allowing local governments to use discretion to set fines for possessing MORE than 14 grams of weed.

The bill's authors -- Democratic Rep. Sylvia Ortiz-Velez of Milwaukee and Republican Rep. Shae Sortwell of Two Rivers -- claim that the main objective behind it is to set a statewide minimum fine, to bring a 'uniform set of rules' when it comes to penalties for possessing small amounts of marijuana. But this bill would partially reverse at least one city's attempt to lower fines, and would create no new standard for most amounts.

We do applaud the portion of the bill that reduces the possibility of felony charges for repeat penalties. That's the direction we were going in six years ago, and it's the direction toward which most residents of our city and state would like to push all elected officials.

Just more than a year after intense local and nationwide marches for social justice and greater accountability for police (and in a state already far behind most of the nation when it comes to marijuana laws), let's not take a step back.