



Community Board 12 - Manhattan Washington Heights & Inwood

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Shahabuddeen A. Ally, Esq., Chairperson
Ebenezer Smith, District Manager

October 10, 2018

Hon. James P. O'Neill,
Commissioner NYPD
Office of the Commissioner
One Police Plaza
New York, NY 10007

Hon. Cyrus R. Vance,
District Attorney
Office of the Manhattan DA
One Hogan Place
New York, NY 10013

Hon. Eric Gonzalez,
District Attorney
Office of the Brooklyn DA
350 Jay Street
New York, NY 11201

Re: Resolution requesting various New York City agencies immediately publicize and conduct targeted outreach regarding the New Conditional Policies on Public Marijuana use.

Dear Commissioner O'Neill:

At the General Meeting, Tuesday, September, 25, 2018 Community Board 12 Manhattan, passed the following resolution with a vote of 37 in favor, 0 opposed, 0 abstention requesting that all relevant New York City law enforcement agencies immediately publicize in plain language and in multiple languages what residents need to know about the NYPD's and District Attorneys' new policies regarding marijuana.

WHEREAS: In July the NYS Department of Health released a report, "Assessment to the Potential Impact of Regulated Marijuana in New York State," which stated that people of color are disproportionately arrested and prosecuted for marijuana possession, despite equal rates of usage by other racial and ethnic groups, and that the resulting incarceration negatively impacts the health of communities and individuals by "destabilizing families, hindering access to education and health care, lowering employment opportunities, increasing poverty and limiting access to housing"; and

WHEREAS: Similar concerns have led the Manhattan District Attorney and Brooklyn District Attorney as well as the NYPD Commissioner and the Mayor to establish new rules and policies for enforcement and prosecution of public marijuana use that has also resulted in a confusing mix of policies on the issuance of summonses, fines and arrest procedures in different boroughs, while marijuana use, sale and distribution is still illegal in the nation, New York State and the City; and

WHEREAS: These relaxed enforcement and prosecution policies will effectively begin on September 1, when smoking marijuana in public or possessing up to 25 grams may result a court summons and fine, rather than an arrest in New York City; however, people who smoke or use non-prescription marijuana in public can still be arrested if they:

- Have an open warrant, are wanted for another crime or are on parole or probation;
- Have a history of violence or categorized as a violent offender;
- Are a threat to public safety (for example, driving under the influence);
- Fail to show identification or provide the police with false identification;
- May still be taken to the precinct even if eligible for a summons ; or
- Fail to appear in court on the date on the summons and a warrant is issued; and

WHEREAS: In New York City alone, some 17,500 people have been arrested each year on marijuana possession charges, and it is anticipated with this new policy that 10,000 of those arrests would be eliminated and replaced with criminal summonses; and

WHEREAS: The changes in drug enforcement policies have not been adequately publicized, especially to our youth and communities of color, especially since an arrest record can have life and family-changing consequences; and

WHEREAS: The Public Safety Committee of Community Board 12, Manhattan heard expert testimony that more targeted and official outreach is needed to provide timely information regarding the public use of marijuana and the policy changes related to the issuance of summonses, arrests, prosecution and enforcement; now, therefore, be it

RESOLVED: Community Board 12, Manhattan requests that all relevant New York City law enforcement agencies immediately publicize in plain language and in multiple languages what residents need to know about the NYPD's and District Attorneys' new policies regarding marijuana; and be it further

RESOLVED: Community Board 12, Manhattan requests that the Department of Education, the NYPD, the District Attorney's Office and the Borough President's Office conduct local outreach programs to the schools, college campuses and community-based organizations serving youth in regard to these new marijuana enforcement policies.

Sincerely,



Shahabuddeen A. Ally, Esq.
Chairperson

cc:

Hon. Andrew Cuomo, Governor
Hon. Bill de Blasio, Mayor
Hon. Letitia James, Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Corey Johnson, Speaker, City Council
Hon. Gale Brewer, Borough President, Manhattan
Hon. Eric Adam, Borough President, Brooklyn
Hon. Ruben Diaz, Jr. Borough President, Bronx
Hon. Melinda R. Katz, Borough President, Queens
Hon. James Oddo, Borough President, Staten Island
Hon. Oxiris Barbot, MD, Acting Commissioner, DOH.
Hon. Gordon J. Campbell, Chair, NYC HHC
Hon. Steven Banks, Commissioner, NYC HRA
Hon. Richard Carranza, Chancellor, NYC DOE
Hon. Darcel D. Clark, Bronx District Attorney
Hon. Michael McMahon, Richmond District Attorney
Hon. D.I. Richard Brea, 33rd PCT.

Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator
Hon. Marisol Alcantara, State Senator
Hon. Al Taylor, Jr., Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Vita C. Rabinowitz, Interim Chancellor, CUNY
Hon. Stanley Brezenoff Interim Chair, NYCHA
Hon. Bill Chong, Commissioner, DYCD
Hon. Keith Powers, Chair, Criminal Justice Cmte
Hon. Howard A. Zucker, MD, Commissioner NYSDOH
Hon. Ana M. Bermúdez, Commissioner, NYC Probation
Hon. Barbara D. Underwood, NYAG
Hon. Richard A. Brown, Queens District Attorney
Hon. Donna Lieberman, Executive Director, NYCU
Hon. D.I. Reymundo Mundo, 34 PCT.