

SUPPORT ITEM 59

Save Resources by Ending Low-Level Marijuana Enforcement

After HB 1325 passed last year, many prosecutors across Texas, including the District and County Attorneys of Travis County, announced they would stop prosecuting marijuana cases without the costly testing required under the new law. As a result, agencies like the Travis County Sheriff and the Round Rock Police Department stopped enforcing low-level marijuana offenses. But in Austin, people are still being cited and even arrested for these offenses, even though the cases are automatically rejected by prosecutors. This is a waste of valuable resources that could be spent on real public safety threats, such as investigating sexual assault cases.

Item 59 will commit to not wasting city resources on testing THC levels for low-level marijuana cases. It will also stop arrests and citations for offenses that will be automatically rejected by prosecutors. Item 59 will still allow the Austin Police Department to access testing and continue enforcing felony-level trafficking cases, but it will stop the pointless enforcement of low-level marijuana offenses.

Item 59 is an important step for equity and racial justice in Austin. Marijuana convictions disqualify people from many public benefits. Warrants related to marijuana offenses make it nearly impossible to find a job or housing, and many victims of abuse avoid calling the police or accessing resources due to fear of arrest. Enforcement also disproportionately impacts people of color. Though black people and white people use marijuana at the same rates, in 2017 black people in Travis County were arrested at 6.5 times the rate of whites for marijuana possession. Marijuana enforcement also has immigration consequences, and undocumented people in Travis County receive ICE holds even when the charges are dismissed upon arrest.

Item 59 is supported by:

Texas Fair Defense Project
Survivor Justice Project
Texans for Accountable Government
American Civil Liberties Union of Texas
Texas NORML
Austin Lawyers Guild
Austin Justice Coalition
Just Liberty
Texas Civil Rights Project
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