

CAPTION:

Asserts criminal penalty exemption for possession of marijuana in Portland. (10)

QUESTION:

Should Portland assert partial exemption from state marijuana possession laws and limit Portland law enforcement role in enforcing marijuana laws? (20)

SUMMARY:

This measure asserts an exemption, within Portland, for individuals 21 years of age or older from state criminal laws for possession of marijuana. The exemption does not apply to:

- possession of more than one ounce of usable marijuana per adult;
- use of marijuana on public property or in public view;
- driving under the influence of marijuana.

The measure prohibits Portland law enforcement officers from cooperating with state or federal agents in the arrest, citation, investigation, prosecution or seizure of property for any marijuana related offenses. This prohibition does not apply to cases involving possession of more than one ounce of usable marijuana per adult; use of marijuana on public property or in public view; or driving under the influence of marijuana.

If a Portland law enforcement officer determines that an adult is in possession of amounts of usable marijuana in excess of the amount authorized by the measure, the measure provides that the officer may only confiscate the marijuana that is in excess of the amount authorized by the measure. (173)