

Fines for Cannabis Possession

Fines for Cannabis Possession: In 2012, the City decriminalized the possession of 15 grams or less of cannabis in certain circumstances – an administrative ticket and fine is issued in lieu of arrest.

Background

In 2012, the City decriminalized the possession of 15 grams or less of cannabis in certain circumstances, with offenders eligible for an administrative ticket and fine in the amount of \$250-\$500 in lieu of arrest. While the City’s ordinance allows officers to ticket for cannabis possession, there are a number of circumstances where officers cannot issue tickets. For example, officers may not issue tickets for any type of violation (whether cannabis possession or not) if the offender is a juvenile, or if there is a warrant for the offender. The cannabis ordinance also prohibits ticketing if the violation occurs in a park or a school.

A September 2014 analysis by the Chicago Police Department (CPD) on the implementation of the cannabis ordinance found that:

- Overall arrests for low-level cannabis possession were down 39% for the first six months of 2014 compared to the same time period in 2012 (prior to the ordinance’s implementation).
- The arrest rate fell steadily from 94.1% during the first six months of implementation, to 68.4% in July and August of 2014.

New policies put into place in July 2015 allow officers to issue tickets to individuals whose identities could be verified without a government-issued ID; prior to that, only individuals with a government issued ID were eligible to receive an administrative ticket in lieu of arrest. In addition, CPD has incorporated cannabis tickets into weekly Compstat sessions for all districts.

Revenue Impact

In 2014, the Department of Administrative Hearings assessed \$1,127,015 in fines from the disposition of 3,816 cases for low-level cannabis possession. The City received payment on 615 of these tickets, resulting in \$147,627 of revenue (an average of \$240 per paid ticket). If ticket issuance remains consistent with 2014 levels, an increase of 50% in the fine for low-level cannabis possession could result in approximately \$563,500 in additional fines imposed and an estimated \$74,000 in additional revenue, assuming collection rates remain constant at 13%.

Legal Authority

Increasing the fine for low-level cannabis possession is within the City’s authority and would require amendment of the Municipal Code.

Other Cities

Cannabis Ticketing City	Possession Fine	Public Use Fine	Aggravating Factors
Philadelphia	\$25 - <30g	\$100	N/A
New York City	\$100 - <25g	N/A	\$200 – 2 nd Ticket \$250 – 3 rd Ticket
Washington, D.C.	No Fine (Legalized possession up to 2oz if older than 21)	\$25	N/A
Miami-Dade	\$100 - <20g	N/A	N/A