

A RESOLUTION OF THE COMMUNITY OVERSIGHT COMMITTEE ENCOURAGING THE BOARD OF COUNTY COMMISSIONERS TO DELAY ANY AMENDMENT TO THE INITIATIVE FOR AN EVALUATION PERIOD OF NOT LESS THAN TWO YEARS.

WHEREAS, Missoula County voters endorsed Missoula County Initiative No. MSLA2006-02 (“the Initiative”) by a vote of over 54% in November 2006; and

WHEREAS, the Initiative requires the establishment of a Community Oversight Committee (“the Committee”) which is responsible for monitoring Missoula County law enforcement and prosecutorial activities relating to adult marijuana offenses and evaluating the Initiative’s implementation; and

WHEREAS, the Initiative states that “enforcement of laws related to adult marijuana offenses” should be the county’s lowest law enforcement priority; and

WHEREAS, the information provided to voters by Missoula County on November 2006 ballots stated that the Initiative would apply to all adult marijuana activities, “including those laws related to possession, processing and sale of marijuana”; and

WHEREAS, the Missoula County Attorney has reportedly urged the Board of Missoula County Commissioners to amend the Initiative to exclude felony offenses; and

WHEREAS, felony marijuana offenses include activities that involve very small amounts of marijuana such as cultivation for personal adult or medical use and the transfer of personal amounts of marijuana between consenting adults; and

WHEREAS, the Initiative recommends that adult marijuana activities should be Missoula County’s lowest law enforcement priority, but grants full discretion for its actual implementation to county officials;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMITTEE THAT:

The Board of the Missoula County Commissioners should not amend the Initiative during an evaluation period of not less than two years from the date of the Initiative's passage to allow the Committee to fulfill their oversight responsibilities pursuant to the Initiative and the will of the people of Missoula County.