

City of Cincinnati



Interdepartmental
Correspondence Sheet

March 27, 2007

To Mayor and Members of City Council

From Milton Dohoney, Jr., City Manager

A handwritten signature in black ink, appearing to read "M. Dohoney".

200700362

Subject **Document #200600371—Status Report Detailing Effect of Cincinnati Municipal Code 910-23**

Reference: Document #200600371

City Council at its meeting on April 12, 2006, referred the following item for report:

MOTION, date 04/12/06, submitted by Councilmembers Berding, Bortz, and Ghiz that the administration track the impact of the increased penalties contained in Ordinance #79-2006, passed March 29, 2006, and report back to Council six months after passage and then again after 12 months have elapsed from the date of passage.

The Police Department has tracked the following requested items and provided the following responses in regard to Cincinnati Municipal Code (CMC) 910-23, Possession of Marijuana, from March 29, 2006, through February 28, 2007, **a total of 11 months.**

- Number of arrests for possession of 100 grams or less of marijuana: **3,285**
- Number of fourth degree misdemeanor convictions for possession of 100 grams or less of marijuana:

2,010 cases have resulted in a fourth degree misdemeanor conviction. **469** cases have been adjudicated through the court not resulting in a conviction. This is usually due to a plea bargain arrangement where the defendant pled guilty to a more serious charge. There are currently **452** capiases issued for individuals cited for violations of CMC 910-23. The remaining **347** cases are currently working their way through the court system.

- Number of first degree misdemeanor convictions resulting from the cumulative effect of the ordinance: **7**
- Number of guns confiscated as a result of an arrest for possession of 100 grams or less of marijuana: **62**
- Amount of drugs confiscated as a result of an arrest for possession of 100 grams or less of marijuana:

Cocaine: **244.63** grams

Crack cocaine: **2,812.67** grams/**6.2** pounds

Heroin: **103.88** grams

Marijuana: **22,663.67** grams/**49.9** pounds

- Amount of other contraband confiscated as a result of an arrest for possession of 100 grams or less of marijuana: **None.**

- Variation in drug/violence related hotspots (pre- and post-law change):

The Police Department uses data to identify reporting areas where focused intervention efforts may be most effective. Reporting areas are identified as "hot spots" if they are one of the top 50 reporting areas that have the most calls for service in the categories of violence, disorder, drugs, and reported Part I crime. The enhanced penalty for possession of marijuana under CMC 910-23 provides a more effective tool for district commander's efforts to target "hot spot" areas.

The Cincinnati Strategic Intervention Target Effort (CINSITE) process consists of data collection, analysis, and action. This process has been improved with the creation of the Vortex Unit which is a flexible, rapidly deployed resource which addresses the action part of the process. Vortex Unit officers are utilizing CMC 910-23 as a key component of their enforcement efforts.

- Any increased cost to the City (i.e., public defenders, police administration):

From April 2005 through February 2006, the Law Department spent **\$30,500.00** on private attorneys defending City ordinance cases. From April 2006 through February 2007, the Law Department spent **\$71,700.00** defending City ordinance cases for an increase of **\$41,200.00**. The total increased amount cannot be directly attributed to CMC 910-23 but that is the only ordinance which has enhanced its existing criminal penalties during the time frame under review.

- Number of jury trials for possession of 100 grams or less of marijuana: **0**
- Court system capacity, including drug court:

Drug court is only used for select felony drug offenders. Individuals arrested for violating Cincinnati Municipal Code 910-23 are not eligible for drug court.

- Total number of current capiases for arrests of CMC 910-23: **452**

cc: Colonel Thomas H. Streicher, Jr., Police Chief

J. W. APC for THJ