

CRIME

Chatham County DA: Some marijuana possession offenses won't be prosecuted by office

Raisa Habersham Savannah Morning News

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People possessing less than an ounce of marijuana will no longer be prosecuted by the Chatham County District Attorney's Office.

District Attorney Shalena Cook Jones cited a 2019 operations bulletin from the Georgia Bureau of Investigation as her reasoning. The bulletin specifies its labs will only accept "leafy material" weighing at least an ounce if felony charges are filed and "priority testing is needed due to pending court."

The office announced the change in a news release late Wednesday afternoon.

"Lawful prosecutions and convictions can only be based on evidence and proof," Jones said in the release. Jones went on to note prosecuting marijuana cases would be difficult without lab testing, and added Georgia's Hemp Farming Act "makes it more difficult to distinguish between illegal marijuana and legal hemp."

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People possessing more than an ounce of marijuana will still be prosecuted, if there is evidence indicating they intended to sell or distribute it, if marijuana is used in the presence of children or school zones, or if it impairs someone's ability to drive.

Jones said the office intends to evaluate each matter on a case-by-case basis.

"Our highest priority as prosecutors is to focus on those crimes which present the greatest risk to public safety and good order," Jones said in the release. "Disposing of low-level, petty offenses that do not threaten public safety and do not involve a victim allows the state to focus on already limited resources on the serious cases that do (threaten public safety)."

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Jones noted the decision will help with an increased backlog caused by the COVID-19 pandemic. The new policy takes effect immediately.

The decision comes nearly two years after Chatham County Board of Commissioners revised regulations around marijuana possession that would not "require incarceration under certain conditions."

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In 2018, Savannah's City Council passed an ordinance that decriminalized marijuana possession of less than an ounce, the Savannah Morning News previously reported. Savannah police now issue a citation for the offense.

Last year, Tybee Island has passed an ordinance reducing penalties for marijuana possession of one ounce or less.

Raisa is a watchdog and investigative reporter for the Savannah Morning News. Contact her at rhabersham@gannett.com.