

EXECUTIVE ORDER NO 06-16

IMPLEMENTATION OF DECRIMINALIZATION OF DISORDERLY CONDUCT
AND RELATED OFFENSES

WHEREAS, the City of Philadelphia in 2014 decriminalized the use and possession of small amounts of marijuana through Bill 140377 and Executive Order No. 06-14; and

WHEREAS, such decriminalization has been successful in avoiding criminal charges and detention for significant numbers of residents, as well as in freeing police resources for enforcement activities relating to dangerous crimes; and

WHEREAS, Bill 160517-A was likewise intended to provide Philadelphia law enforcement the authority to issue code violation notices for low level disorderly conduct and similar offenses, thereby eliminating criminal penalties for such behavior; and

WHEREAS, these actions are consistent with the overall efforts of the City of Philadelphia to reduce the number of individuals entering the criminal justice system;

NOW THEREFORE, to ensure that persons who commit low level disorderly conduct offenses are treated equitably and appropriately throughout the City, I, James F. Kenney, Mayor of the City of Philadelphia, by authority vested in me by the Home Rule Charter, do hereby order as follows:

SECTION 1. Implementation.

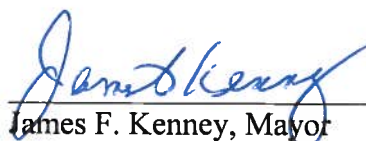
A. As of the effective date of Bill 160517-A, the Police Commissioner shall issue such new Directives, regulations or other policy statements, and provide for such training, as the Police Commissioner deems necessary to ensure that summary level *Disorderly Conduct*, *Failure to Disperse*, *Public Drunkenness* and *Obstructing a Highway or other Public Passage* violations are cited under The Philadelphia Code as code violations only. The Pennsylvania Crimes Code will not be cited for these offenses.

B. Nothing in this Order should be understood or construed to limit or restrict a law enforcement officer's ability to make any warrantless arrest authorized under the Pennsylvania Rules of Criminal Procedure for any misdemeanor level *Disorderly Conduct*, *Failure to Disperse*, *Public Drunkenness* or *Obstructing a Highway or other Public Passage* offense committed in the officer's presence.

SECTION 2. Effective Date

This Order shall be effectively immediately.

Date: June 23, 2016


James F. Kenney, Mayor

M e m o r a n d u m

TO: Richard Ross, Jr., Police Commissioner
FROM: Richie Feder, Chief Deputy City Solicitor /rf
DATE: June 22, 2016
SUBJECT: Executive Order:

**IMPLEMENTATION OF DECRIMINALIZATION OF DISORDERLY
CONDUCT AND RELATED OFFENSES**

You have submitted for review a draft of a proposed Executive Order entitled:

**IMPLEMENTATION OF DECRIMINALIZATION OF DISORDERLY CONDUCT
AND RELATED OFFENSES**

This proposed Executive Order, a copy of which is attached hereto, is in proper form and there is no legal objection to its issuance by the Mayor. In accordance with customary practice, we have not been requested to review any factual premises upon which this Executive Order may be based.