

**RESOLUTION 08.2022-08 (A-23)**  
**RECLASSIFY CRIMINAL PENALTIES FOR SMALL-SCALE DRUG**  
**POSSESSION FROM A FELONY TO A MISDEMEANOR**

**ISMS Board Action Taken on 10/22/2022**

**Adopted Resolution 08.2022-08 (A-23), as amended by the Medical Legal Council.**

Medical Legal Council Recommendation to ISMS Board on 10/22/2022

The Council was provided with a copy of the resolution, including relevant ISMS policy, the results of a member survey, and document detailing criminal penalties for drug possession in Illinois. The author attended the meeting and engaged in a thoughtful conversation with the Council regarding the resolution. The author and Council discussed the current opioid epidemic, its threat to public health, and the terrible effects it has had on loved ones. The author discussed her personal experience with loss as a result of drug usage, and the impact that felony convictions can have on individuals who are attempting to rebuild their lives after criminal prosecution.

The Council discussed the current thresholds for felony possession, the need for criminal statutes, and how to balance punishment and rehabilitation. The Council also took note of the varying approaches to drug possession throughout the state, and the inconsistent use of drug courts.

The Medical Legal Council recommends that the ISMS Board of Trustees adopt Resolution 08.2022-08 (A-23), as amended:

RESOLVED, that it is the position of ISMS that efforts to treat addiction and reduce the harms associated with drug use should prioritize public health strategies over criminal justice penalties; and be it further

RESOLVED, that the Illinois State Medical Society (ISMS) ~~should create policy that supports the passage of legislation to reclassify~~ reclassifying criminal penalties for small-scale drug possession from a felony to a misdemeanor in the State of Illinois, and ~~improve~~ improving access to evidence-based treatment for people experiencing substance use disorders.