

# Ken Paxton Sues Dallas Over Cannabis Decriminalization Vote

## Texas Attorney General Ken Paxton Sues Dallas Over Cannabis Decriminalization

Texas Attorney General Ken Paxton has filed a lawsuit against the city of Dallas, challenging the legality of a newly adopted charter amendment that decriminalizes possession of small amounts of marijuana. The move comes in response to voter-approved Proposition R, which was passed with overwhelming support in the November election.

### Proposition R: Voter-Driven Reform

Proposition R, approved by 67% of Dallas voters, directs the city to decriminalize possession of up to four ounces of marijuana. It also prohibits Dallas police officers from using the odor of marijuana as probable cause for searches or seizures, except in cases involving violent felonies or felony narcotics arrests.

Earlier this week, the city implemented the measure, instructing the Dallas Police Department to comply. In a memo to officers, the interim police chief outlined the changes, emphasizing the prohibition of enforcement for possession of four ounces or less of marijuana in most circumstances.

### Conflict with State Law

Recreational marijuana remains illegal under Texas law, creating a direct conflict between the new city policy and state regulations. Paxton's lawsuit argues that Dallas' decriminalization policy violates state law and undermines the uniform enforcement of drug regulations.

The lawsuit contends that municipalities lack the authority to override Texas drug laws, accusing Dallas of attempting to circumvent the Texas Constitution. Paxton has framed the policy as a dangerous precedent, asserting that such measures could encourage other cities to selectively enforce state laws.

### Concerns About Legal Challenges

The possibility of a lawsuit was anticipated even before the charter amendment was adopted. At least one Dallas city councilmember expressed concerns that the measure would face legal scrutiny, given the state's firm stance against marijuana legalization.

Despite these concerns, city officials moved forward with implementing the amendment, citing the clear mandate from voters. The directive to the Dallas Police Department marked a significant step toward aligning city policy with the will of the electorate.

### State vs. Local Governance

The legal battle highlights the ongoing tension between state and local governments over policy-making authority. Cities like Dallas have increasingly sought to address marijuana possession through local reforms, arguing that such changes reflect the values and priorities of their communities.

However, the state maintains that it has the ultimate authority over drug laws, asserting that local policies must align with Texas statutes. This lawsuit is part of a broader effort by the Attorney General's office to reinforce state control over drug enforcement.

### **Implications for Cannabis Policy in Texas**

The outcome of the lawsuit could have significant implications for marijuana policy across Texas. If the court rules in favor of the Attorney General, it may discourage other municipalities from pursuing similar reforms.

Conversely, a victory for Dallas could embolden other cities to enact their own decriminalization measures, potentially leading to a patchwork of local policies that challenge the state's prohibition of recreational marijuana.

The legal dispute also reflects shifting public attitudes toward marijuana. While Texas maintains some of the strictest marijuana laws in the nation, there is growing support for decriminalization and legalization among voters.

### **Broader Context of Cannabis Laws**

Texas is one of the few states where recreational marijuana remains entirely illegal, even as neighboring states like New Mexico and Oklahoma have implemented more lenient policies. Nationwide, 24 states and Washington, D.C., have legalized recreational marijuana, and 39 states allow its medical use.

Despite this trend, Texas has resisted calls for reform, with state leaders arguing that decriminalization could lead to increased drug use and other societal issues.

The lawsuit against Dallas marks the latest chapter in the ongoing debate over marijuana policy in Texas. As the state and its cities clash over the scope of local authority, the case will likely set a precedent for how marijuana laws are enforced at the municipal level.

While Dallas voters have made their preferences clear, the legal outcome will determine whether Proposition R can survive the state's challenges. With the stakes high for both sides, the dispute underscores the complex and evolving landscape of cannabis policy in Texas.

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