



City of Cambridge

O-10
FIRST IN COUNCIL
February 1, 2021

COUNCILLOR SOBRINHO-WHEELER
MAYOR SIDDIQUI
COUNCILLOR ZONDERVAN
COUNCILLOR MCGOVERN

WHEREAS: Along with many cities and states across the country, Cambridge has begun in recent years to recognize that criminalizing users of substances such as cannabis is neither a just or effective legal approach; and

WHEREAS: Drug policy in the United States and the so-called “War on Drugs” has historically led to unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and of limited financial means, instead of prioritizing harm-reduction policies that treat drug abuse as an issue of public health; and

WHEREAS: Entheogenic plants, which include a spectrum of natural plants, fungi, and natural materials, have been used for centuries by people in different cultures to address conditions including substance abuse, addiction, post-traumatic stress disorder (PTSD), elements of Persistent Traumatic Stress Environment (PTSE) conditions, chronic depression, end-of-life anxiety, grief, cluster headaches, and tendencies toward recidivism, as well as to improve mental and socio-emotional health; and

WHEREAS: The pandemic has led to a wave of heroin and opioid overdose deaths and depression in Massachusetts communities, two ailments that entheogenic plants have been shown to have particular strength in treating according to peer-reviewed medical research; and

WHEREAS: The Cambridge City Council has adopted [goals](#) that include:

Goal 10: Ensure City’s budget allocates resources responsibly and responsively.
Goal 11: Ensure Public Safety efforts reflect current and emerging challenges and opportunities in a way that incorporates Cambridge’s core values; and

WHEREAS: Cities in the United States have long possessed an inferred constitutional right to regulate commerce and public safety within their jurisdictions, a principle acknowledged by the Cole Memorandum produced by the U.S. Department of Justice that permitted states and localities to deprioritize law enforcement of cannabis charges; now therefore be it

ORDERED: That the City Manager be and is hereby requested to direct city staff to work with the City’s state and federal partners in support of decriminalizing all Entheogenic Plants and plant-based compounds that are listed on the Federal Controlled Substances Schedule 1, Classes A-E of Chapter 94C § 31 of Massachusetts law and Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act; and be it further

- RESOLVED: That the City Council calls upon the Middlesex County District Attorney to cease prosecution of persons involved in the use, possession, or distribution of entheogenic plants and the use or possession without the intent to distribute of any controlled substance; and be it further
- RESOLVED: That the City Council hereby maintains that the use and possession of all controlled substances should be understood first and primarily as an issue of public health by city departments, agencies, boards, commissions, and all employees of the city; and be it further
- RESOLVED: That the City Council hereby maintains that it should be the policy of the City of Cambridge that the arrest of adult persons for using or possessing controlled substances shall be amongst the lowest law enforcement priority for the City of Cambridge; and be it further
- RESOLVED: That the City Council hereby maintains that no City of Cambridge department, agency, board, commission, officer or employee of the city should use city funds or resources to assist in the enforcement of laws imposing criminal penalties for the use and possession of entheogenic plants by adults; and be it further
- RESOLVED: That the City Council hereby maintains it should be the policy of the City of Cambridge that the investigation and arrest of adult persons for planting, cultivating, purchasing, transporting, distributing, engaging in practices with, and/or possessing entheogenic plants listed in Classes A-E of Chapter 94C § 31 of Massachusetts law or Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act shall be amongst the lowest law enforcement priority for the City of Cambridge; and be it further
- RESOLVED: That the City Council does not have the power and this resolution does not authorize or enable any of the following activities: commercial sales or manufacturing of entheogenic plants and fungi, possessing or distributing these materials on school grounds, driving under the influence of these materials; or public disturbance.