



City of Somerville
Massachusetts

Approved.
Jan 14, 2021 7:00 PM

Agenda Item
211137

Supporting the decriminalization of entheogenic plants.

Information

Department:	City Council	Sponsors:	Ward Four City Councilor Jesse Clingan, Ward Two City Councilor Jefferson Thomas ("J.T.") Scott, Ward Three City Councilor Ben Ewen-Campen, Ward Seven City Councilor Katjana Ballantyne, City Councilor at Large Kristen Strezo, Ward Six City Councilor Lance L. Davis, Ward Five City Councilor Mark Niedergang, City Councilor At Large Mary Jo Rossetti, Ward One City Councilor Matthew McLaughlin, City Councilor At Large Wilfred N. Mbah, City Councilor At Large William A. White Jr., i and the Mayor
Category:	Resolution	Purposes:	Resolution

Attachments

[Somerville Team Testimony re decriminalizing entheogens](#)

Official Text

WHEREAS: "Entheogenic plants," a term originally classified by anthropologists and ethnobotanists in 1979, are herein defined as the full spectrum of psychedelic plants, fungi, and natural materials containing indole amines, tryptamines, phenethylamines, including psilocybin mushrooms, ayahuasca, cacti, and iboga; and

WHEREAS: Substance abuse, addiction, post-traumatic stress disorder (PTSD), chronic depression, end-of-life anxiety, grief, cluster headaches, tendencies toward recidivism, and other conditions are plaguing our community and the use of entheogenic plants has been shown to be beneficial for treating these ailments via scientific and clinical studies and within continuing traditional and religious practices that catalyze profound experiences of personal and spiritual growth; and

WHEREAS: The COVID-19 pandemic has led to a resurgence of heroin and opioid overdose deaths and severe depression in Massachusetts communities, two ailments that entheogenic plants have been shown to have particularly strong utility in treating according to published, peer-reviewed medical research; and

WHEREAS: The so-called War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and people of limited financial means, rather than

prioritizing harm-reduction policies to treat drug abuse as an issue of public health; and

WHEREAS: That American cities have long possessed an inferred constitutional right to regulate commerce and public safety within their jurisdictions, a principle acknowledged by the U.S. Department of Justice Cole Memorandum that permitted states and localities to deprioritize law enforcement of cannabis charges; and

WHEREAS: Many elected representatives of the Somerville City Council have previously maintained that city resources should not be expended in any investigation, detention, arrest, or prosecution arising out of alleged violations of state and federal law regarding the use and personal possession of controlled substances; **NOW, THEREFORE, BE IT**

RESOLVED: That the City Council hereby maintains that no City of Somerville department, agency, board, commission, officer or employee of the city, including without limitation, Somerville Police Department personnel, should use any 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 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 it should be the policy of the City of Somerville 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 Somerville; **AND BE IT FURTHER**

RESOLVED: That the City Council hereby maintains that it should be the policy of the City of Somerville that the arrest of adult persons for using or possessing controlled substances shall be amongst the lowest law enforcement priority for the City of Somerville; **AND BE IT FURTHER**

RESOLVED: That this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possessing or distributing these materials near schools, driving while under the influence of these materials; or public disturbance; **AND BE IT FURTHER**

RESOLVED: That the Somerville City Council calls upon the city's officials to work in support of decriminalizing entheogenic plants and approaching all controlled substances first and primarily through the lens of public health when representing the city in conversations with state and federal agencies as well as state and federal lawmakers; **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.

Meeting History

[Jan 14, 2021 7:00 PM Video](#) **City Council** **Regular Meeting**

 **Draft**

Councilor Clingan spoke in favor, and sponsored Sarah Hinzmanand and Alex Karazik to speak. Ms. Hinzmanand spoke of her experiences taking pain medicines and her improved health after switching to entheogenic plants. Mr. Karazik spoke of his experiences with psilocybin mushrooms and credited them with playing a big role in his mental health recovery. Councilor Scott expressed pride that Somerville is leading the way on the decriminalization of these natural substances. Councilor Ewen-Campen pointed out that many of these substances are already legal and he believes that this resolution is an exciting first step. Councilor Mbah commented that when these substances are controlled and regulated they can be beneficial.

RESULT: **APPROVED. [UNANIMOUS]**

AYES: Wilfred N. Mbah, Mary Jo Rossetti, Kristen Strezo, William A. White Jr., Matthew McLaughlin, Jefferson Thomas ("J.T.") Scott, Ben Ewen-Campen, Mark Niedergang, Lance L. Davis, Katjana Ballantyne

ABSENT: Jesse Clingan

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