# **November 2020 Initiative Petition Log**

## INITIATIVES INTENDED FOR NOVEMBER 3, 2020 GENERAL ELECTION

- Deadline to submit signature sheets 5:00 p.m. July 6, 2020
- Required signatures of active voters 37,638

**Title: Decriminalize Natural Psychedelics** 

Petition ID Assigned: PDX 02

Petition Filed: 11/5/2019

#### **Documents**:

<u>Text of proposed Charter change - via chief petitioners</u> <u>Filing of prospective petition (SEL 370)</u> <u>Ballot title</u> - via City Attorney Campaign Finance Account: <u>Decriminalize Nature</u> <u>Portland</u> Chief Petitioners:

Nicholas Combest 7149 N. Macrum Ave. Portland, OR 97203 Phone: 541-631-9819 Email: decrminalizenaturepdx@gmail.com

Bryan Kim 7149 N. Macrum Ave. Portland, OR 97203 Phone: 619-382-7888 Email: decrminalizenaturepdx@gmail.com

Holly Sullivan 7149 N. Macrum Ave. Portland, OR 97203 Phone: 619-382-7888 Email: decrminalizenaturepdx@gmail.com Status:

11/05/19 - Prospective petition filed; Auditor determining if meets requirements of Section 1(2)(d) and (5), Article IV of the Oregon Constitution

11/14/19 - Prospective initiative petition meets requirements of Section 1(2)(d) and (5), Article IV of the Oregon Constitution. Petition copy to be sent to City Attorney.

11/14/19 - Ballot title request for prospective initiative petition PDX 02 sent to City Attorney per ORS 250.275. Ballot title due to City Auditor's Office by 11/21/19.

11/21/19 - City Attorney files <u>ballot title</u> with City Elections Office for PDX 02. Ballot title challenge period begins; any elector may petition for review of the title in Multnomah County Circuit Court. Review period ends Tuesday, December 3, 2019. Notification available <u>here</u>.

12/4/19 - Ballot title is final. No challenges to ballot title delivered to Elections Office or filed in Multnomah County Circuit Court. Petitioners may submit cover and signature sheets for approval to circulate petition.

12/12/19 - Petitioners submit cover and signature sheets and are approved for circulation. <u>Campaign finance petition committee account</u> organized with Secretary of State. 37,638 valid registered City of Portland voter signatures required to be filed with Elections Office prior to July 6, 2020.

07/06/20 - No petition submitted to Elections Office by deadline. Petition void.

**Title: Decriminalization of Natural Psychedelics (Withdrawn 11/1/2019 by petitioners)** Petition ID Assigned: PDX 01

Petition Filed: 10/25/2019

**Documents**:

<u>Text of proposed Charter change - via chief petitioners</u> <u>Filing of prospective petition (SEL 370)</u> Withdrawal of Petition (SEL 375)

#### **Chief Petitioners:**

Nicholas Combest 7149 N. Macrum Ave. Portland, OR 97203 Phone: 541-631-9819 Email: decrminalizenaturepdx@gmail.com

Bryan Kim 7149 N. Macrum Ave. Portland, OR 97203 Phone: 619-382-7888 Email: decrminalizenaturepdx@gmail.com

#### Status:

10/25/19 - Prospective petition filed; Auditor determining if meets requirements of Section 1(2)(d) and (5), Article IV of the Oregon Constitution

11/01/19 - Chief petitioners withdraw petition (<u>form SEL 375</u> filed with City Auditor's Office). Petition void.

# Petition ID PDX 01

### **Prospective Petition** Local Initiative and Referendum

Warning Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 gears. Each chief petitioner is required to provide, on the same form, their name, residence address, a contact phone number and a signature attesting that the information on the form is true and correct. Changes to the information provided for a chief petitioner or to the circulator pay status below must be reported to the Elections Division no later than the 10th day after you first have knowledge or should have had knowledge of the change

Petition Informa	ation		Туре					
This filing is an	Original	Amendment	🕅 Initiative	Referendum				
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Title Subject or nam	Title Subject or name you give your petition. Decliminalization of Natulal Psychedelics							
decriminalizenatureportland.org								
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				out the petition process or the petition is void.				
→ By signing this document, I hereby state that all information on the form is true and correct and attest that no circulators will be compensated money or other valuable consideration on this petition based on the number of signatures obtained by the circulator.								
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# City of Portland Charter Amendment Decriminalization of Natural Psychedelics

Whereas, the people of City of Portland find that:

- 1. The possession and personal use of psychedelic plant medicines, defined herein as the Schedule I(d) plant and fungi containing therapeutic and natural psychedelic compounds, have been unjustly and immorally criminalized since the Nixon Administration.
- 2. Natural medicines and the plants of the Earth should be a common treasury for all humankind and should remain accessible to all regardless of race, orientation, gender, and class.
- 3. The principles of "cognitive liberty" and "bodily autonomy" endow all human beings with the inalienable right to freedom of thought within their own minds, as well as the freedom to ingest whatever they wish as long as it does not harm others.
- 4. Making these medicines available only through government-licensed facilities or health care centers in a country in which healthcare is a for-profit industry will create barriers to access for the most vulnerable and in-need populations.
- 5. Substance abuse, addiction, recidivism, trauma, post-traumatic stress symptoms, chronic depression, severe anxiety, end-of-life anxiety, grief, diabetes, cluster headaches, and other conditions are plaguing our community, and the use of psychedelic plants has been shown to be beneficial to the health and well-being of individuals and communities in addressing these afflictions via scientific and clinical studies and within continuing traditional practices, which can catalyze profound experiences of personal and spiritual growth.
- 6. The governor of Oregon has declared addiction to be a public health crisis in this state.
- 7. Practices with psychedelic plants have long existed and have been considered to be sacred to human cultures and human interrelationships with nature for thousands of years and continue to be enhanced and improved to this day by religious and spiritual leaders, practicing professionals, mentors, and healers throughout the world, many of whom

have been forced underground and have been put in fear of arrest and prosecution.

- 8. The psychedelic plant practices of certain groups are already explicitly protected in the United States under the doctrine of religious freedom.
- 9. The psychedelic plant practices around mescaline containing cacti and Ayahuasca are already protected in Oregon under the doctrine of religious freedom.
- 10. The United Nations considers psychedelic plant material used for ritual purposes as excluded from government prohibitions.
- 11. Psychedelic plants containing ibogaine have been shown to alleviate treatment-resistant cases of opiate and methamphetamine addiction at significantly higher rates than all other treatments for addiction.
- 12. Ibogaine is reported to be beneficial for addiction therapy related to specific work-related PTSD encountered by first responders such as EMT, police, and firefighters, as well as military veterans.
- 13. Psychedelic plants or combinations of plants such as Ayahuasca that contain forms of DMT, a naturally occurring compound in the human body that is listed as a Schedule 1 substance, can lead to experiences that are reported as mystical or experientially similar to near death experiences that can be demonstrably beneficial in treating addiction, depression and PTSD and in catalyzing profound experiences of personal and spiritual growth.
- 14. Psychedelic cacti that contain phenethylamine compounds such as mescaline, can be beneficial in healing drug and alcohol addiction and for individual spiritual growth and have been utilized in sacred initiation and community healing by diverse religious and cultural traditions for millennia and continue in use as religious sacraments in modern times.
- 15. Psilocybin, naturally occurring in certain mushroom species, can alleviate end-of-life anxiety for hospice and terminal cancer patients, can reduce prison recidivism, and can effectively treat substance abuse, depression, cluster headaches.
- 16. A Johns Hopkins University study on "healthy-normals" found that psilocybin can occasion mystical-type experiences, which were considered

one of the top five most meaningful experiences in a subject's life for over 75% of their subjects within the first year after the study, and found continuing positive life-style changes after a 14-month follow-up.

17. The City of Portland wishes to declare its desire not to expend City resources in any investigation, detention, arrest, or prosecution arising out of alleged violations of state and federal law regarding the use of psychedelic plants.

Therefore, a new Article 1 to a new Chapter 16 of the City of Portland Charter shall be added and shall read as follows:

#### Article 1 Decriminalization of Psilocybin Mushrooms

#### 15-101. Definitions.

"Psychedelic plant medicines" means the naturally occurring a. plant and fungal matters listed below containing any of the substances listed under 21 C.F.R. § 1308.11 Schedule I(c): (1) "Psilocybin mushrooms" means fungal matter containing psilocybin or psilocyn. (2)"Iboga", means plant matter of the Apocynaceae family containing ibogaine. "Bufotenine" means plant matter containing the (3) 5-HO-DMT alkaloid. (4) "DMT-containing plants" means plant matter containing nn-dimethyltryptamine, 5-methoxy-dimethyltryptamine, 5-hydroxy-dimethyltryptamine or any dimethyltryptamine related isomers or structural analogues. (5) "Mescaline Cacti" means plant matter of the family Cactaceae containing mescaline. b.

"Personal possession" means the possession, storage or propagation of psychedelic plant medicines by an adult for personal

use, where the psychedelic plant medicines are not used or displayed in public.

### 15-102. No Law Shall Regulate Personal Use or Possession of Psychedelic Plant Medicines.

- (a) The City of Portland shall adopt no law prohibiting or regulating the personal use or possession of psychedelic plant medicines or the production or distribution of psychedelic plant medicines for personal use.
- (b) The City of Portland may adopt laws regulating the commercial sale of psychedelic plant medicines, when the quantity being sold by the offending person is worth more than \$500 per week.

# 15-103. Enforcement of Federal or State Laws on Production, Distribution, Possession, or Use of Psychedelic Plant Medicines.

- (a) The City of Portland shall not enforce federal, state, or local laws, ordinances, rules, or regulations imposing criminal penalties for:
- (1) the personal use or possession of psychedelic plant medicines; or
- (2) the growing, production, or distribution of psychedelic plant medicines for personal use or possession.
- (b) The City of Portland may enforce laws regulating the commercial sale of psychedelic plant medicines, when the quantity being sold by the offending person is worth more than \$500 per week.
- (c) Except as specifically authorized in subsection (b), no department, agency, board, commission, other entity, officer, employee, or contractor of the City shall use any City funds or resources to assist in the enforcement of laws, ordinances, rules or regulations imposing criminal penalties for the personal use or possession of psychedelic plant medicines by adults.

15-104. Severability.

For the purpose of determining constitutionality, every section, subsection, and subdivision thereof of this Section, at any level of subdivision, shall be evaluated separately. If any section, subsection or subdivision at any level is held invalid, the remaining sections, subsections and subdivisions shall not be affected and shall remain in full force and effect. The courts shall sever those sections, subsections, and subdivisions necessary to render this Section consistent with the United States Constitution and with the Oregon Constitution.

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# Withdrawal

# Petition ID PDX 02

## **Prospective Petition**

### Local Initiative and Referendum

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# Notice of Receipt of Ballot Title (11/21/19)

#### NOTICE OF RECEIPT OF BALLOT TITLE

Notice is hereby given that a ballot title for an initiative petition has been filed with the Elections Office of the City of Portland on November 21, 2019.

The ballot title is as follows:

#### **CAPTION**

Amends Charter: prohibits city regulation, enforcement of psychedelic plant laws.

#### **QUESTION**

Shall Charter be amended to prohibit city enforcement of laws imposing criminal penalties for psychedelic plant medicines, prohibit city regulations?

#### **SUMMARY**

Currently, federal and state law prohibit the possession, storage and propagation of psychedelic plant medicines; city code prohibits use or distribution of controlled substances on certain city property. Violations of the law are subject to exclusion orders and misdemeanor and felony criminal penalties.

The measure adds a new Charter chapter that prohibits the city of Portland from enforcing – or using city resources to assist in enforcing – laws that impose criminal penalties for the use, possession, growing, production or distribution of psychedelic plant medicines for personal use by adults. The measure also prohibits the city from adopting laws prohibiting or regulating the use, possession, production or distribution of psychedelic plant medicines for personal use. Psychedelic plant medicines include naturally occurring plant and fungal matters in "psilocybin mushrooms", "iboga", "bufotenine", "DMT-containing plants" and "mescaline cacti" (defined terms).

The measure does not prohibit the city from enforcing or passing laws that prohibit or regulate the commercial sale of psychedelic plant medicines, when the quantity being sold is worth more than \$500 per week.

Other provisions.

The City Auditor has determined this measure meets the requirements of Article IV, Section 1(2) (d) and (5) of the Oregon Constitution. An elector may file a petition for review of this ballot title in the Multnomah County Circuit Court no later than 5:00 P.M. on Tuesday, December 3, 2019.

MARY HULL CABALLERO

Portland City Auditor

#### CAPTION

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#### QUESTION

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The measure does not prohibit the city from enforcing or passing laws that prohibit or regulate the commercial sale of psychedelic plant medicines, when the quantity being sold is worth more than \$500 per week.

Other provisions.

# City of Portland Charter Amendment Decriminalization of Natural Psychedelics

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- 3. The principles of "cognitive liberty" and "bodily autonomy" endow all human beings with the inalienable right to freedom of thought within their own minds, as well as the freedom to ingest whatever they wish as long as it does not harm others.
- 4. Making these medicines available only through government-licensed facilities or health care centers in a country in which healthcare is a for-profit industry will create barriers to access for the most vulnerable and in-need populations.
- 5. Substance abuse, addiction, recidivism, trauma, post-traumatic stress symptoms, chronic depression, severe anxiety, end-of-life anxiety, grief, diabetes, cluster headaches, and other conditions are plaguing our community, and the use of psychedelic plants has been shown to be beneficial to the health and well-being of individuals and communities in addressing these afflictions via scientific and clinical studies and within continuing traditional practices, which can catalyze profound experiences of personal and spiritual growth.
- 6. The governor of Oregon has declared addiction to be a public health crisis in this state.
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of whom have been forced underground and have been put in fear of arrest and prosecution.

- 8. The psychedelic plant practices of certain groups are already explicitly protected in the United States under the doctrine of religious freedom.
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17. The City of Portland wishes to declare its desire not to expend City resources in any investigation, detention, arrest, or prosecution arising out of alleged violations of state and federal law regarding the use of psychedelic plants.

Therefore, a new Article 1 to a new Chapter 16 of the City of Portland Charter shall be added and shall read as follows:

#### Article 1 Decriminalization of Natural Psychedelics

#### 16-101. Definitions.

а.	"Psychedelic plant medicines" means the naturally occurring plant and fungal matters listed below containing any of the substances listed under 21 C.F.R. § 1308.11 Schedule I(c):
(1)	"Psilocybin mushrooms" means fungal matter containing psilocybin or psilocyn.
(2)	"Iboga", means plant matter of the Apocynaceae family containing ibogaine.
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#### 16-104. Severability.

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## **Prospective Petition**

### Local Initiative and Referendum

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Withdrawal Petition				SEL 375 rev 01/18 OR5 250,029 OAR 165-010-0005, 165-014-0005
formation may withdraw	a petition any time p	rior to submitting the requ	lired number of signat	n or the chief sponsor of a political party tures for verification. Once the petition required to re-file the petition and
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Chief Petitioner/ Spons	sor Information All c	hief petitioners must sign the	same form.	
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