



Detroit's November
Ballot Proposals

Summary of Detroit's November 2021 Election Ballot Proposals

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Voter Initiated City Ordinance

Proposal E

Proposal E

- *Shall the voters of the City of Detroit adopt an ordinance to the 2019 Detroit City Code that would decriminalize to the fullest extent permitted under Michigan law the personal possession and therapeutic use of Entheogenic Plants by adults and make the personal possession and therapeutic use of Entheogenic Plants by adults the city's lowest law-enforcement priority?*

Entheogenic Plants

- Some of the most common entheogenic plants include psilocybin (also known as magic mushrooms), ayahuasca, mescaline, peyote.
- **If Proposal E passes**, the City of Detroit would enact an ordinance that would decriminalize to the fullest extent permitted under Michigan law the personal possession and therapeutic use of entheogenic plants.
- **If Proposal E is rejected**, use and possession of entheogenic plants would remain illegal and enforced pursuant to Michigan law.

Major Issues to Consider

- Decriminalization not legalization. It would make enforcement of laws relating to psychedelics the city's lowest law-enforcement priority.
- Without regulated and guided use of these substances, individuals put themselves at practical and psychological risks.
- Potential impacts include:
 - increased and uninformed usage of entheogenic plants
 - a step forward toward state decriminalization
 - scientific research on their usefulness
 - increased therapeutic uses for various ailments
 - reduction on time and money associated with the enforcement of criminal penalties relating to entheogenic plant usage by adults in Detroit.

Background

- Effort to reduce police enforcement of laws against psychedelics in Michigan gaining momentum.
- Many cities and states across the country have already enacted such reforms.
- Represents a promising treatment to address substance abuse disorders and mental health issues.

Background

- Psychedelics have a lot of potential for medicinal use, but findings are based on limited research.
- Setting and preparation matters - people can have “bad trips” accompanied with terrifying experiences that can have lasting effects.
- Still much to learn about the benefits and potential risks of these substances.
 - Consequences of unrestricted use.

Analysis

- Decriminalization vs. Legalization
- Federal drug schedule vs. medical research/scientific consensus
- Municipal decriminalization wouldn't authorize medical professionals to prescribe psychedelics.
- Safety and efficacy have not yet been proven.

City Council Initiated Ballot Proposal

Proposal R

Reparations Task Force

- *Should the Detroit City Council establish a Reparations Task Force to make recommendations for housing and economic development programs that address historical discrimination against the Black community in Detroit?*
- **If Proposal R passes,** Detroit city would establish a reparations task force to make recommendations for housing and economic development programs that address historical discrimination against Detroit's Black community.
- **If Proposal R is rejected,** voters would not support creation of a reparations task force, but city council could still create a task force on its own.

Major Issues to Consider

1. Only creates a task force. Does not extend any further than that.
2. One specific directive:
 - to make short, medium, and long-term recommendations for the city to specifically address the creation of generational wealth and to boost economic mobility and opportunity in the Black community.
3. Passage will help move the conversation from talk to action.

Background

- July 13, 2021 - city council unanimously approved resolution to place reparations initiative on the November 2021 ballot.
- Creates an investigatory process to assess, catalog, and understand the damages associated with slavery.
- Follows other cities across the country that have adopted or initiated similar bills including:
 - Asheville, North Carolina; Evanston, Illinois; St. Paul, Minnesota; Providence, Rhode Island; and Durham, North Carolina.

Analysis

- Only establishes a task force to investigate policy recommendations for housing and economic development programs.
- Funding considerations - federal funding cannot be allocated to a specific race or demographic.
- Task force can determine how to create a reparations fund to fund a reparations program.
 - Revenue from marijuana taxes.

Voter Initiated City Charter Amendment Proposal S

Expanding Voter Initiative Powers

- *Do you agree to amend a provision of the City of Detroit Charter to amend Sec. 12-101 of the Charter that restricts power from the voters to enact City ordinances for the appropriation of money?*
- **If Proposal S passes**, voters would be able to petition for the enactment of city ordinances that could include the appropriation of money.
- **If Proposal S is rejected**, voters would not be able to petition for the enactment of city ordinances for the appropriation of money.

Current Language of the Charter

Section 12-101 of the Detroit City Charter (Initiative and Referendum) currently reads [with deleted language struck through and added words capitalized]:

The voters of the city reserve the power to enact city ordinances, call the "initiative", and the power to nullify ordinances, enacted by the city, called the "referendum". However, these powers do not extend to the budget ~~or any ordinance for the appropriation of money~~; AND the referendum power does not extend to any emergency ordinance. The initiative and the referendum may be invoked by petition as provided in this chapter.

Major Issues to Consider

1. The city charter provides two methods at which money can be appropriated:
 - the budget process
 - amendments that can only be made under certain circumstances.
2. Direct democracy provides citizens a say in the policies and laws of their city or state.
 - Can also be used by businesses and the wealthy to pass policy goals.
3. Not clear how amendment would fit with current law as it relates to:
 - the timing of elections
 - the budget process
 - the prioritization of city spending
 - powers granted to certain branches of government

Background

- Initiative is the power which the people reserve to themselves to propose laws and to enact and reject laws.
- A survey of charter provisions in the 100 largest Michigan cities' finds that only ten charters, including Detroit's, have a restriction on the citizen initiative related to appropriations and/or the budget process.
- Initiative processes may not always be a process by the people, but rather a process used by the wealthy and business elite.

Detroit City Charter

- City charter is clear in Article 8 that money is appropriated through the budget process.
- Section 8-210 specifies that the budget can only be amended after adoption under specific circumstances that include:
 - the mayor's identification of revenues in excess of those estimated in the budget or,
 - to meet a public emergency affecting life, health, property or the public peace, upon request of the mayor.
- Proposal S usurps the power of city council as the legislative branch possessing the power of the purse.

Direct Democracy

- Supplement democratic government – forces action on legislative bodies unwilling or unable to address issues of great concern to the public.
- Provides citizens with the ability to add an additional check on government when they feel as though their interests are not being represented properly.
- Potential to increase interest and turnout in local elections.

Analysis

- If the charter is clear about appropriations being a part of the budget process, along with the specificity provided about amending appropriations, does that conflict with the citizenry's power to enact ordinances for the appropriation of money?
- Divorce appropriations from the analysis of available funds the city has.
 - It could either cause deficit spending or force city council to reprioritize the spending of city funds.
- Empowers the citizenry to prioritize their government's agenda on issues they find to be of most importance.

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