



League of Women Voters of  
Denver Education Fund

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## **May 7, 2019 Municipal Election**

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### **Pros and Cons for**

**Initiated Ordinance 300:** Right to Survive

**Initiated Ordinance 301:** Psilocybin  
Mushroom Decriminalization

*For Potential Runoff Election on June 4:*

**Initiated Ordinance:** Let Denver Vote

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## **Initiated Measure 300:** The Right to Survive Initiative

### **Background**

Denver faces a serious crisis with thousands of people in the city who do not have permanent housing. There are many factors driving the crisis, including high housing costs, wages that have not kept pace with the cost of living, and a lack of services for at-risk populations. This provision is a response to the “Unauthorized Camping Ordinance,” often called the “camping ban,” which was passed by the City Council in 2012. The ordinance made it illegal to be covered in anything beyond clothing. The intent of the camping ban was to give police a tool to move people who are homeless from public spaces and connect them with services. The Right to Survive initiative would change the Municipal Code to overturn major portions of the camping ban.

### **Major Provisions**

The initiative amends the Municipal Code to include a new article which provides the right to:

- Rest and shelter in public spaces without blocking passageways.
- Eat, share, accept, or give free food in any public space where food is allowed.
- Occupy their own legally parked motor vehicle, or another’s with the owner’s permission.
- Expect safety and privacy for themselves and their belongings.

### **Those in favor say:**

- Criminalizing homelessness does not address the underlying causes of the problem. Decriminalization is a first step to addressing the issue. Money spent on enforcement of the camping ban would be better used to fund solutions to the problem of homelessness.
- Nonpayment of the fines and fees that are the consequence of camping ban violations frequently result in time spent in jail and a criminal record, both of which create barriers to employment and housing.
- The camping ban has caused people without homes to shelter in scattered, dangerous places and made it more difficult for outreach workers to direct people to needed services.
- People experiencing homelessness deserve to be treated with dignity and respect. Making it a crime to cover oneself with a blanket puts peoples’ lives in danger, may be unconstitutional, and is certainly counterproductive.

### **Those opposed say:**

- This initiative removes an important tool that police can use to move people without homes from inappropriate public spaces.
- Overturning the camping ban could hurt businesses by discouraging customers from patronizing them and citizens by discouraging their use of parks and other public spaces.
- The measure prohibits Denver from enforcing laws that are essential to protection of public health and safety.
- Further, no funds are provided for increased cleanup of public spaces.
- Removing the camping ban does nothing to address the underlying causes of homelessness and will only exacerbate existing problems.

## **Initiated Measure 301:** Psilocybin Mushroom Decriminalization

### **Background**

It is currently illegal to possess or sell mushrooms which contain psilocybin, which is a Schedule I drug under Federal law. While there is currently no accepted medical use of psilocybin, some people with depression say they have benefited from using the drug when other treatments have been unsuccessful.

### **Major Provisions**

This ordinance to the Denver Revised Municipal Code would:

- Make the personal use and personal possession of psilocybin mushrooms by persons twenty-one (21) years of age and older the city's lowest law-enforcement priority,
- Prohibit the city from spending resources to impose criminal penalties for the personal use and personal possession of psilocybin mushrooms by persons twenty-one (21) years of age and older,
- Establish the psilocybin mushroom policy review panel to assess and report on the effects of the ordinance.

**Those in favor say:**

- There is no evidence of psilocybin being addictive and there has never been a death from overdose. It shows promise in treatment for dependence on drugs that are addictive and potentially fatal including nicotine and opioids.
- There is anecdotal evidence of beneficial effects in non-clinical settings.
- Problems associated with use are usually mild and temporary. Users experiencing adverse reactions have reported anxiety, fear, and disorientation. These effects typically last for a few hours and are treated by having the user rest quietly.
- Criminalization of low-level drug possession is a factor in mass incarceration and can have devastating consequences to the individual that are out of proportion to the seriousness of the offense.

**Those opposed say:**

- Psilocybin is a schedule I drug according to federal law, in the same category as heroin.
- Psilocybin mushrooms will not be available from controlled sources so there will be concerns about dose and purity. This is a bad idea in a state that is still adjusting to legal cannabis. This ordinance might make Denver a mecca for drug seekers.
- The therapeutic benefits of psilocybin were shown in carefully controlled clinical settings with subjects carefully screened for psychotic tendencies. This ordinance would make the drug more available to persons without screening. There have also been reports of seizures and hyperthermia among children who have ingested mushrooms.
- Persons using this drug might have impaired judgment that could lead to behavior that causes injury to themselves or others.

**Initiated Measure:** Let Denver Voter

This measure will appear on the June 4 ballot if a run-off election should be needed.

**Title**

Shall the voters of the City and County of Denver enact a measure prohibiting the use of public monies, resources or fiscal guarantees in connection with any future Olympic Games, without the City first obtaining voter approval at a regularly scheduled municipal election or special election should the City decide to use public monies, resources or guarantees for this purpose?

**Background**

There is concern that money and resources might be spent by the City of Denver before voters express willingness to host an Olympic Games.

**Those in favor say:**

- If taxpayer dollars are to be spent bidding or hosting future Olympics in Denver, voters should have the right to approve or reject that spending ahead of time.

**Those opposed say:**

No organized opposition was found as of this printing.

*THE LEAGUE OF WOMEN VOTERS® OF DENVER EDUCATION FUND encourages the active and informed participation of Denver residents in government to increase understanding of major public policy issues. We are not responsible for the accuracy or fairness of the arguments of either side. The pro and con statements are a compilation of the material by proponents and opponents of the ballot issue. Tax-deductible contributions are gratefully accepted.*