RESOLUTION 21-4
Introduced Monday, October 4th, 2021
Passed Friday, October 22nd, 2021

21-4: Cannabis Legalization Response

Introduced by: SA President Eric Santomauro-Stenzel ‘24, Class President Jackson Harris ‘22

Recommending measures for Hamilton College to abide by the New York State Marihuana Regulation and Taxation Act (MRTA) (2021)

ARTICLE I  Compliance With State and Federal Law

WHEREAS Hamilton College is within the jurisdiction of the State of New York as well as the United States Federal Government; and,
WHEREAS as of March 31st, 2021, cannabis is legal for recreational consumption in the State of New York for those 21 years of age and older; and,
WHEREAS the Drug-Free Schools and Communities Act Amendments of 1989 prohibits the consumption of cannabis at colleges and universities that receive funding from the federal government, and therefore Hamilton College cannot currently legally allow cannabis on campus; and,
WHEREAS cannabis consumption is safer than alcohol consumption both for the user and those impacted by the user, and Hamilton College both permits and funds the consumption of alcohol on campus; and,

1 Resolutions are intended to respond to any events or circumstances directly affecting the student body. They shall provide plans for addressing said events or circumstances, and shall be read as a commitment on behalf of the current Assembly and future Assemblies. Their force derives from an implicit or explicit ethical commitment to the ideas expressed as well as from an explicit ethical commitment to any measures Proposed. Article VIII, Section 2, Subpoint A of the SA Constitution. Inclusion of footnote constitutionally required.
4 Vox, “Weed is not more dangerous than alcohol”, https://www.youtube.com/watch?v=ggSzi7tszl&ab_channel=Vox
WHEREAS the criminalization and prohibition of cannabis was designed to and succeeded at unjustly perpetuating mass incarceration and systemic racism; and,

WHEREAS the sponsors of this resolution met with representatives of the Office of Community Standards to discuss the subject of this document on October 13th, 2021

NOW, THEREFORE BE IT RESOLVED:

1. The Central Council applauds the State of New York for becoming the 15th state in the United States to legalize recreational cannabis, and especially applauds the numerous provisions in the MRTA aimed at rectifying historical harms against Black and Brown communities resulting from cannabis criminalization.

2. The Central Council urges Hamilton College and the Office of Community Standards to set the punishment for cannabis possession and consumption by students under 21 on College property to 1 disciplinary point, to align with the punishment for underaged alcohol consumption.

3. The Central Council urges Hamilton College and the Office of Community Standards to set the punishment for cannabis possession and consumption by students 21 years and older on campus to between 0 and 1 disciplinary points.

4. The Central Council recommends that existing fire safety rules for smoking remain in place.

5. The Central Council strongly recommends that Hamilton College update its policies to mandate that the scent of cannabis cannot be a reason for any College
official to search a student or their belongings or room, given that students may legally consume the substance off of campus and may return with its scent.

6. The Central Council advises Hamilton College and the Office of Community Standards to remove all restrictions on the ownership of cannabis paraphernalia for students 21 years and older, given it is used off of College property.

7. The Central Council requests that the Office of Community Standards publicly release data regarding sanctions given to students related to cannabis dating back at least four years, broken down by race.

8. The Central Council urges Hamilton College to expunge all alumni disciplinary records regarding the consumption or possession of cannabis on College property. All current and future students’ disciplinary records related to consumption or possession of legal quantities of cannabis should be erased upon graduation.

9. The Central Council commits to further discussions with the Office of Community Standards, Campus Safety, and Dean of Students Office regarding this resolution via the appropriate Assembly committee(s) and resolution sponsors.