



City of Detroit

COUNCILMAN SCOTT R. BENSON

MEMORANDUM

TO: Conrad Mallett, Chief Corporation Counsel
FROM: Hon. Scott Benson, City Council District 3

CC: Hon. Gabriela Santiago Romero, Chair, Public Health & Safety
Standing Committee
Hon. Janice Winfrey, City Clerk
David Whitaker, LPD, Director
Malik Washington, Mayor's Liaison

VIA: Hon. Council President Mary Sheffield

DATE: 7 January 2025

**RE: REQUEST FOR LEGAL OPINION ON EXPANDING
ADVERTISING PROHIBITIONS TO INCLUDE
PYSCHEDILIC MUSHROOMS AND DIGITAL PLATFORMS**

I am seeking a legal opinion on the feasibility of expanding the scope of Detroit's existing advertising prohibitions, to also include the following:

1. **Psychedelic Mushrooms:** The inclusion of advertising regulations for mushrooms, particularly in light of evolving discussions around their potential decriminalization or medicinal use.
2. **Digital Advertising Platforms:** The regulation of advertising on digital platforms such as computer games, social media, and other online channels where such content may be accessed by underage or vulnerable populations.

Given the increasing prevalence of these products and their advertising, it is essential to explore whether the current ordinance framework can be broadened to address these emerging concerns. Additionally, please provide guidance on any potential legal challenges or constitutional considerations, particularly as they pertain to commercial free speech rights.

Please provide your findings and recommendations at your earliest convenience.

If you have any questions, do not hesitate to contact my office at 313-224-1198.

SRB