

COQUILLE INDIAN HOUSING AUTHORITY  
NOTICE REGARDING POSSESSION OF CONTROLLED SUBSTANCES

The Coquille Indian Housing Authority (CIHA) has received inquiries about the possession of marijuana, heroin, cocaine, LSD, methamphetamine, and other controlled substances on CIHA properties, in light of past and more recent developments under Oregon law that have legalized marijuana and have decriminalized possession of small amounts of other controlled substances. CIHA does not and will not recognize these State laws as changing any CIHA housing requirements regarding drug-related criminal activity, which requirements are based on federal drug laws. The CIHA policy states in relevant part:

- It is the policy of CIHA to provide drug-free living areas and a drug-free workplace for all residents and employees. Tenants, homebuyers, guests and visitors, whether invited or not, are prohibited from possessing, buying, selling, distributing, using or being under the influence of any non-prescription, controlled substance (illegal drug). This policy applies in all offices, houses, community buildings, playgrounds, maintenance and other buildings, walkways and all common areas where the CIHA or the Coquille Indian Tribe has jurisdiction, as well as all other locations in the vicinity of CIHA housing or CIHA property.

Even though the State of Oregon has “legalized” the use and possession of marijuana for medical and recreational purposes, and has “decriminalized” possession of small amounts of certain other controlled substances, Oregon’s law does not change federal drug laws, and those are the laws that apply to CIHA housing. Marijuana, heroin, LSD, methamphetamine, and cocaine remain classified as schedule I drugs under the federal Controlled Substances Act and possession of the same, even in small amounts, is a crime under federal law. Because CIHA’s programs are funded through federal appropriations governed by federal law, the possession or use of marijuana (whether for recreational or medical use), heroin, LSD, methamphetamine, cocaine, and other controlled substances (without a valid prescription) remains illegal. Section 207 of the Native American Housing Assistance and Self-Determination Act, which is the law that provides federal assistance for CIHA, requires leases and homebuyer agreements to state specifically that drug-related criminal activity, such as use or possession of controlled substances, is cause for eviction. The definition of “drug-related criminal activity” in that section is specifically tied to federal drug laws. As a result, if any resident of CIHA housing uses, manufactures, distributes, or possesses any amount of any federally controlled substance, including but not limited to marijuana, LSD, methamphetamine, cocaine, or heroin, or any other controlled substance without a valid prescription, that resident’s household will be subject to eviction.

If any further clarification is needed, contact CIHA at \_\_\_\_\_.