

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
DECLARING THAT THE INVESTIGATION AND ARREST OF INDIVIDUALS TWENTY-
ONE (21) YEARS OF AGE AND OLDER INVOLVED WITH THE ADULT PERSONAL USE
AND PERSONAL POSSESSION OF ENTHEOGENIC PSYCHOACTIVE PLANTS AND
FUNGI LISTED ON THE FEDERAL SCHEDULE 1 LIST BE AMONGST THE LOWEST
PRIORITIES FOR THE CITY OF SANTA CRUZ, **AND**
RESCINDING RESOLUTION NO. NS-29,623

WHEREAS, Entheogenic Plants, based on the term “entheogen”, originally conceived by Ott, Ruck, and other colleagues from a working group of anthropologists and ethnobotanists in 1979; and defined herein as the full spectrum of plants, fungi, and natural materials deserving reverence and respect from the perspective of the individual and the collective, that can inspire personal and spiritual well-being,ⁱ can benefit psychologicalⁱⁱ and physical wellness,ⁱⁱⁱ and can reestablish human’s inalienable and direct relationship to nature; and

WHEREAS, substance abuse,^{iv} addiction, recidivism,^v trauma, post-traumatic stress symptoms, chronic depression, severe anxiety,^{vi} end-of-life anxiety, grief,^{vii} diabetes,^{viii} cluster headaches,^{ix} and other medical conditions do affect adults, and the use of psychoactive plants and fungi has been documented to benefit the health and well-being of individuals and communities in addressing these afflictions via scientific and clinical studies and within continuing traditional practices, which can catalyze profound experiences of personal and spiritual growth; and

WHEREAS, in October 2018, the U.S. Food and Drug Administration granted Breakthrough Therapy designation for studies on psilocybin therapy for treatment-resistant depression; and

WHEREAS, practices with Entheogenic Plants have long existed and have been considered sacred to human cultures and human interrelationships with nature for thousands of years,^x and continue to be improved to this day by religious and spiritual leaders, practicing professionals, mentors, and healers throughout the world, many of whom have been forced underground; and

WHEREAS, those seeking to improve their health and well-being through the use of entheogens use them in fear of arrest and prosecution; and

~~WHEREAS, the Entheogenic Plant practices of certain groups are already explicitly protected in the U.S. under the doctrine of religious freedom, including the Native American Church’s use of peyote and the use of ayahuasca by two other churches, a Santo Daime congregation and the Uniao do Vegetal; and~~

WHEREAS, the United Nations considers Entheogenic Plant material used for ritual purposes to be excluded from being Schedule I substances; and

WHEREAS, Entheogenic Plants containing ibogaine, for example, have been shown to alleviate treatment resistant cases of opiate and methamphetamine addiction at significantly higher rates than all other treatments for addiction.^{xi} In addition, ibogaine is reported to be beneficial for addiction therapy related to specific work-related PTSD; and

WHEREAS, Entheogenic Plants or combinations of plants such as ayahuasca that contain forms of DMT, a naturally occurring compound in the human body that is listed as a Schedule I substance, can lead to experiences that are reported as mystical or experientially similar to near-death experiences^{xii} and can be demonstrably beneficial in treating addiction,^{xiii} depression,^{xiv} PTSD,^{xv} and in catalyzing profound experiences of personal^{xvi} and spiritual growth;^{xvii} and

WHEREAS, Entheogenic cacti that contain phenethylamine compounds ~~such as mescaline can be beneficial in healing drug and alcohol addiction^{xviii} and for individual spiritual growth^{xix}~~, have been utilized in sacred initiation and community healing by diverse religious and cultural traditions for millennia, and continue to be used as religious sacraments in modern times; and

WHEREAS, psilocybin, naturally occurring in psychoactive mushrooms, can alleviate end-of-life anxiety for hospice and terminal cancer patients,^{xx} can reduce prison recidivism,^{xxi} and can effectively treat substance abuse, depression,^{xxii} and cluster headaches;^{xxiii}; and

WHEREAS, a Johns Hopkins University study on “healthy-normals” found that psilocybin can occasion mystical-type experiences in a subject’s life for over 75% of their subjects within the first year after the study, and also found continuing positive lifestyle changes after a 14-month follow-up; and

WHEREAS, use of Entheogenic Plants and Fungi can be also be deleterious for individuals and use requires harm reduction strategies and oversight by trained medical professionals for personal safety; and

WHEREAS, the Community Prevention Partners of Santa Cruz County is a critical partner in the education of youth and families about drug prevention; and

NOW, THEREFORE BE IT RESOLVED the **City Council of the** City of Santa Cruz declares its desire to not expend City resources in the investigation and arrest of persons twenty-one (21) years of age and older solely for the personal use, personal possession and personal cultivation of Entheogenic Plants and Fungi listed on the Federal Schedule 1 list **with the exception of entheogenic cacti that contain phenethylamine compounds such as mescaline** and that such activities should be considered among the lowest law enforcement priorities for the City of Santa Cruz; and

BE IT FURTHER RESOLVED that local decriminalization efforts that include peyote can be disruptive to the nation-wide strategy driven by Native American people to protect, conserve, and ensure the spiritual and ecological sustainability of peyote. Therefore, this policy shall not apply to peyote or other entheogenic cacti that contain phenethylamine compounds such as mescaline; and

BE IT FURTHER RESOLVED that the City Council recognizes that the sale, use and cultivation of Entheogenic Plants and Fungi to and by minors should be considered an exception that should require appropriate investigation by the Santa Cruz City Police Department; and

BE IT FURTHER RESOLVED that the Santa Cruz City Council directs the city manager to instruct the city's state and federal lobbyists to work in support of decriminalizing entheogenic psychoactive plants, and plant and fungi-based compounds listed in the Federal Controlled Substances Act, with the exception of peyote; and

BE IT FURTHER RESOLVED that the City of Santa Cruz acknowledges that the use of entheogenic plants and fungi for health and spiritual well-being should be done in consultation with, and under the supervision of trained/medical professionals; and

BE IT FURTHER RESOLVED that the City of Santa Cruz recognizes that public health and public safety could be affected through administration of this Resolution and evaluation should be initiated by the Santa Cruz Police Department if warranted at any time; and

BE IT FURTHER RESOLVED that if any provision of this resolution is declared by a court of competent jurisdiction to be contrary to any statute, regulation, or judicial decision, or its applicability to any agency, person, or circumstances is held invalid, the validity of the remainder of this resolution and its applicability to any other agency, person, or circumstance shall not be affected; and

BE IT FURTHER RESOLVED that Resolution No. NS-29,623 is hereby rescinded.

PASSED AND ADOPTED this ___ day of September, 2021 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Donna Meyers, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

REFERENCE LIST:

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PRIORITIES FOR THE CITY OF SANTA CRUZ, **AND**
RESCINDING RESOLUTION NO. NS-29,623

ⁱ Entheogens for Personal and Spiritual Growth

Frecska, E., et al. (2012). Enhancement of Creative Expression and Entoptic Phenomena as After-Effects of Repeated Ayahuasca Ceremonies. *Journal of Psychoactive Drugs* 44(3), pp. 191-199.

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ⁱⁱ Entheogens and Psychological Wellness

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iii Entheogens and Physical Wellness

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iv Entheogens and Substance Abuse

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v Entheogens and Recidivism

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vi Entheogens and Anxiety

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vii Entheogens and Grief

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viii Ayahuasca and Diabetes

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ix Entheogens and Cluster Headaches

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^{xiii} Ayahuasca for Addiction Therapy

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^{xiv} Ayahuasca and PTSD

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^{xvi} Ayahuasca and Personal Growth

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^{xvii} Ayahuasca and Spiritual Growth

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^{xviii} ~~Peyote for treatment of alcohol and drug dependence~~

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^{xix} ~~Peyote~~

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^{xxi} Entheogens and Reduced Recidivism

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^{xxii} Psilocybin and Treatment-Resistant Depression

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^{xxiii} Psilocybin and Cluster Headaches

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