

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:

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

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.

Hartogsohn, I. (2018). The Meaning-Enhancing Properties of Psychedelics and Their Mediator Role in Psychedelic Therapy, Spirituality, and Creativity. *Frontiers in Neuroscience*, 12 (129). doi:10.3389/fnins.2018.00129

MacLean, K., et al. (2011). Mystical experiences occasioned by the hallucinogen psilocybin lead to increases in the personality domain of openness. *Journal of Psychopharmacology*, 25(11)1453-1461.

Moro, L., et al. (2011) Voice of the Psychonauts: Coping, Life Purpose, and Spirituality in Psychedelic Drug Users. *Journal of Psychoactive Drugs*, 43 (3), pp. 188-198. DOI: 10.1080/02791072.2011.605661

Nour, M., et al. (2017): Psychedelics, Personality and Political Perspectives. *Journal of Psychoactive Drugs*. DOI:10.1080/02791072.2017.1312643

Sweat, N., et al. (2016). The Associations of Naturalistic Classic Psychedelic Use, Mystical Experience, and Creative Problem Solving. *Journal of Psychoactive Drugs*, 48(5), pp. 344-350, DOI: 10.1080/02791072.2016.1234090

ⁱⁱ Entheogens and Psychological Wellness

Frecska E., et al., (2016). The Therapeutic Potentials of Ayahuasca: Possible Effects against Various Diseases of Civilization. *Frontiers in Pharmacology*, 7(35).doi: 10.3389/fphar.2016.00035

McKenna, D. (2004). Clinical investigations of the therapeutic potential of ayahuasca: rationale and regulatory challenges. *Pharmacology & Therapeutics* 102(2), pp. 111-129.

Dos Santos, R. et al. (2017). Effects of the Natural (3- Carboline Alkaloid Harmine, a Main Constituent of Ayahuasca, in Memory and in the Hippocampus: A Systematic Literature Review of Preclinical Studies. *Journal of Psychoactive Drugs*, 49(1), pp. 1-10, DOI: 10.1080/02791072.2016.1260189

Wilcox, J. (2014). Psilocybin and Obsessive-Compulsive Disorder. *Journal of Psychoactive Drugs*, 46(5), pp. 393-395. DOI: 10.1080/02791072.2014.963754

iii Entheogens and Physical Wellness

Djamshidian, A., et al. (2015). "Banisteriopsis caapi, a Forgotten Potential Therapy for Parkinson's Disease?" *Movement Disorders Clinical Practice*: n/a-n/a.

Liu, X., et al., (2017) Harmine is an inflammatory inhibitor through the suppression of NF-kB signaling. *Biochemical and Biophysical Research Communications*, <http://dx.doi.org/10.1016/j.bbrc.2017.05.126>.

Ly et al. (2018). Psychedelics Promote Structural and Functional Neural Plasticity. *Cell Reports* 23, pp. 3170-3182.

McCleary, J., et al., (1960). Antibiotic activity of an extract of peyote (*Lophophora Williamii*). *Economic Botany*, 14(3), pp. 247-249.

Dos Santos, R. (2014) Immunological Effects of Ayahuasca in Humans. *Journal of Psychoactive Drugs*, 46 (5), pp. 383-388.

Samoylenko, V., et al. (2010). Banisteriopsis caapi, a unique combination of MAO inhibitory and antioxidative constituents for the activities relevant to neurodegenerative disorders and Parkinson's disease. *Journal of Ethnopharmacology*, 127 (2), pp. 357-367. doi:10.1016/j.jep.2009.10.030.

iv Entheogens and Substance Abuse

Bogenschutz, M., et al. (2015). Psilocybin-assisted treatment for alcohol dependence: A proof-of-concept study. *Journal of Psychopharmacology* 29(3), pp. 289-299.

Bogenschutz, M., and Forchimes, A. (2017). Development of a Psychotherapeutic Model for Psilocybin-Assisted Treatment of Alcoholism. *Journal of Humanistic Psychology*, 57(4), pp. 389-414.

Johnson, M. et al. (2017). An online survey of tobacco smoking cessation associated with naturalistic psychedelic use. *Journal of Psychopharmacology* 31 (7), pp. 841-850.

de Veen, B. (2017) Psilocybin for treating substance use disorders? *Expert Review of Neurotherapeutics*, 17(2), pp. 203-212. DOI: 10.1080/14737175.2016.1220834

v Entheogens and Recidivism

Romero, S. (March 28, 2015). In Brazil, some inmates get therapy with hallucinogenic tea. *The New York Times*.

vi Entheogens and Anxiety

Sarris, J., et al. (2013). "Plant-based medicines for anxiety disorders, part 2: a review of clinical studies with supporting preclinical evidence." *CNS Drugs* 27(4), pp. 301-319.

vii Entheogens and Grief

Gonzalez, D., et al. (2017). Potential Use of Ayahuasca in Grief Therapy. *OMEGA—Journal of Death and Dying*, pp. 1 -26.

viii Ayahuasca and Diabetes

Wang, P. et al., (2015). A high-throughput chemical screen reveals that harmine- mediated inhibition of DYRK1A increases human pancreatic beta cell replication. *Nature Medicine* 21, pp. 383-388.

ix Entheogens and Cluster Headaches

Schindler, E., et al. (2015) Indoleamine Hallucinogens in Cluster Headache: Results of the Clusterbusters Medication Use Survey, *Journal of Psychoactive Drugs*, 47:5 372-381, DOI: 10.1080/02791072.2015.1107664 x Historical Use of Entheogens

El-Seedi, H., et al. (2005). Prehistoric peyote use: Alkaloid analysis and radiocarbon dating of archaeological specimens of *Lophophora* from Texas. *Journal of Ethnopharmacology* 107(1), pp. 238-242.

Guzman, G. (2008). Hallucinogenic Mushrooms in Mexico: An Overview. *Economic Botany*, 62(3), pp. 404-412.

Miller, L. et al., (2019). Chemical evidence for the use of multiple psychotropic plants in a 1,000-year-old ritual bundle from South America. *Proceedings of the National Academy of Sciences*. DOI: 10.1073/pnas. 190217411

Samorini, G. (1992). The Oldest Representations Of Hallucinogenic Mushrooms In The World (Sahara Desert, 9000 - 7000 B.P.). *Integration, Journal of Mind-moving Plants and Culture* 2/3.

xi Iboga/Ibogaine for Addiction Therapy

Alper, K., et al. (1999). Treatment of acute opioid withdrawal with ibogaine. *American Journal of Addictions*, 8(3), 234-242. doi:10.1080/105504999305848

Brown, T. K. (2013). Ibogaine in the treatment of substance dependence. *Current Drug Abuse Reviews*, 6(1), 3-16. doi: 10.2174/15672050113109990001

Brown, T. and Alper, K. (2017): Treatment of opioid use disorder with ibogaine: detoxification and drug use outcomes. *The American Journal of Drug and Alcohol Abuse*. DOI: 10.1080/00952990.2017.1320802

Luciano, D. (1998). Observations on treatment with ibogaine. *American Journal of Addictions*, 7(1), pp. 89-89. doi:10.1111/j.1521-0391.1998.tb00472.x

Mash, D., et al. (2001). Ibogaine in the treatment of heroin withdrawal. In K. Alper, & G. A. Cordell (Eds.), *The alkaloids: Chemistry and biology* (1st ed., Vol. 56, pp.155-171). London: Academic Press/Elsevier.

Mash, D., et al., (2018) Ibogaine Detoxification Transitions Opioid and Cocaine Abusers Between Dependence and Abstinence: Clinical Observations and Treatment Outcomes. *Frontiers in Pharmacology*. 9:529. doi: 10.3389/fphar.2018.00529

Sheppard, S. G. (1994). A preliminary investigation of ibogaine: Case reports and recommendations for further study. *Journal of Substance Abuse Treatment*, 77(4), 379-385. doi: 10.1016/0740-5472(94)90049-3

^{xii} Ayahuasca Experience similar to Near-Death Experience

Liester, M. B. (2013). Near-death experiences and ayahuasca-induced experiences- two unique pathways to a phenomenologically similar state of consciousness. *Journal of Transpersonal Psychology* 45(1), p. 24.

^{xiii} Ayahuasca for Addiction Therapy

Barbosa, P. et al. (2018) Assessment of Alcohol and Tobacco Use Disorders Among Religious Users of Ayahuasca. *Frontiers in Psychiatry*, 9 (136). doi:10.3389/fpsy.2018.00136

Brierley, D., and Davidson, C. (2012). Developments in harmine pharmacology - Implications for ayahuasca use and drug-dependence treatment. *Progress in Neuro-psychopharmacology & Biology* 39(2), pp. 263-272.

Liester, M. and Prickett, J. (2012) Hypotheses Regarding the Mechanisms of Ayahuasca in the Treatment of Addictions. *Journal of Psychoactive Drugs*, 44 (3), pp. 200-208. DOI: 10.1080/02791072.2012.704590

Loizaga-Velder, A. and R. Verres (2014). Therapeutic effects of ritual ayahuasca use in the treatment of substance dependence-qualitative results. *Journal of Psychoactive Drugs* 46(1), pp. 63-72.

Mabit, J., et al. (1996). Takiwasi: The Use of Amazonian Shamanism to Rehabilitate Drug Addicts. *Yearbook of Cross-Cultural Medicine and Psychotherapy*. W. Andritzky. Berlin, International Institute of Cross-Cultural Therapy Research.

Talina, P., and Sanabriab, E. (2017). Ayahuasca entwined efficacy: An ethnographic study of ritual healing from addiction. *International Journal of Drug Policy* 44, pp. 23-30.

Thomas, G., et al. (2013). Ayahuasca-assisted therapy for addiction: results from a preliminary observational study in Canada. *Current Drug Abuse Review* 6(1), pp. 30-42.

^{xiv} Ayahuasca and Depression

Anderson, B. (2012). Ayahuasca as Antidepressant? Psychedelics and Styles of Reasoning in Psychiatry. *Anthropology of Consciousness*, 23(1), pp. 44-59.

de L. Osorio, F., et al. (2015). Antidepressant effects of a single dose of ayahuasca in patients with recurrent depression: a preliminary report. *Revista Brasileira de Psiquiatria* 37(1), pp. 13-20.

Palhano-Fontes, F., et al. (2014). The Therapeutic Potentials of Ayahuasca in the Treatment of Depression. *The Therapeutic Use of Ayahuasca*. B. C. Labate and C. Cavnar, Springer: Berlin, Heidelberg, pp. 23-39.

Dos Santos, R., et al. (2016). Anti-depressive, anxiolytic, and anti-addictive effects of ayahuasca, psilocybin and lysergic acid diethylamide (LSD): A systematic review of clinical trials published in the last 25 years. *Therapeutic Advances in Psychopharmacology*, 6(3), pp. 193-213. doi:10.1177/2045125316638008

^{xiv} Ayahuasca and PTSD

Nielson, J. and Megler, J. (2014). Ayahuasca as a Candidate Therapy for PTSD. *The Therapeutic Use of Ayahuasca*. B. C. Labate and C. Cavnar, Springer: Berlin, Heidelberg, pp. 41-58.

^{xvi} Ayahuasca and Personal Growth

Bouso, J. C., et al. (2012). "Personality, Psychopathology, Life Attitudes and Neuropsychological Performance among Ritual Users of Ayahuasca: A Longitudinal Study. *PLoS ONE* 7(8).

Kuypers, K., et al. (2016). Ayahuasca enhances creative divergent thinking while decreasing conventional convergent thinking. *Psychopharmacology*. DOI 10.1007/S00213-016-4377-8

Soler J., et al. (2018). Four Weekly Ayahuasca Sessions Lead to Increases in “Acceptance” Capacities: A Comparison Study With a Standard 8-Week Mindfulness Training Program. *Frontiers in Pharmacology*, 9 (224). Doi: 10.3389/fphar.2018.00224

^{xvii} Ayahuasca and Spiritual Growth

Harris, R., and Gurel, L. (2012). A Study of Ayahuasca Use in North America. *Journal of Psychoactive Drugs* 44(3): 209-215.

Trichter, S., et al. (2009). Changes in spirituality among ayahuasca ceremony novice participants. *Journal of Psychoactive Drugs* 41(2), pp. 121-134.

Tupper, K. (2010). Entheogenic healing: The spiritual effects and therapeutic potential of ceremonial ayahuasca use. *The healing power of spirituality: How faith helps humans thrive*, Volume 3. J. H. Ellens. Santa Barbara, Praeger: pp. 269-282.

Tupper, K. W. (2002). Entheogens and Existential Intelligence: The Use of Plant Teachers as Cognitive Tools. *Canadian Journal of Education* 27(4), pp. 499-516.

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

~~Winkelman, M. (2014). Psychedelics as Medicines for Substance Abuse Rehabilitation: Evaluating Treatments with LSD, Peyote, Ibogaine and Ayahuasca. *Current Drug Abuse Reviews* 7, pp. 101-116.~~

^{xix} ~~Peyote~~

~~Calabrese, J. (2007). The Therapeutic Use of Peyote in the Native American Church Chapter 3 in Vol. 1 of *Psychedelic Medicine: New Evidence for Hallucinogens as Treatments*. Michael J. Winkelman and Thomas B. Roberts (editors). Westport, CT: Praeger/Greenwood.~~

~~Feeney, K. (2007). The Legal Basis for Religious Peyote Use. Chapter 13 in Vol 1 of *Psychedelic Medicine: New Evidence for Hallucinogens as Treatments*. Michael J. Winkelman and Thomas B. Roberts (editors). Westport, CT: Praeger/Greenwood.~~

^{xx} Psilocybin for End-of-Life Anxiety

Blinderman, C. (2016). Psycho-existential distress in cancer patients: A return to entheogens. *Journal of Psychopharmacology* 30 (12), pp. 1205-1206.

Kelmendi, B., et al. (2016). The role of psychedelics in palliative care reconsidered: A case for psilocybin. *Journal of Psychopharmacology* 30(12), pp. 1212-1214.

Ross, S., et al. (2016). Rapid and sustained symptom reduction following psilocybin treatment for anxiety and depression in patients with life-threatening cancer: a randomized controlled trial. *Journal of Psychopharmacology*, 30(12), pp. 1165-1180.

^{xxi} Entheogens and Reduced Recidivism

Hendricks, P., et al. (2014). Hallucinogen use predicts reduced recidivism among substance-involved offenders under community corrections supervision. *Journal of Psychopharmacology* 28(1), pp. 62-66.

Walsh, Z., et al. (2016). Hallucinogen use and intimate partner violence: Prospective evidence consistent with protective effects among men with histories of problematic substance use. *Journal of Psychopharmacology*, pp. 1-7. DOI: 10.1177/0269881116642538.

^{xxii} Psilocybin and Treatment-Resistant Depression

Hendricks, P., et al. (2015). Psilocybin, psychological distress, and suicidality. *Journal of Psychopharmacology*, 29(9), pp. 1041-1043.

Lyons, T. and Carhart-Harris, R. (2018). Increased nature relatedness and decreased authoritarian political views after psilocybin for treatment-resistant depression. *Journal of Psychopharmacology*, 32(7), pp. 811-819.

^{xxiii} Psilocybin and Cluster Headaches

Schindler, E. et al., (2015) Indoleamine Hallucinogens in Cluster Headache: Results of the Clusterbusters Medication Use Survey, *Journal of Psychoactive Drugs*, 47(5), pp. 372-381. DOI: 10.1080/02791072.2015.1107664