

A Resolution Protecting Adult Access to Plant Medicines & Prioritizing Public Health Responses to Controlled Substance Possession

Council Sponsors: Councilors ~~Devlin-Gauthier~~, Lopes, Miller, and Rooney; Community Sponsors: Multidisciplinary Psychedelic Club, University of Massachusetts, Amherst, Bay Staters (Bay Staters for Natural Medicine), James Davis, Adam Finke, and Adam Klem

WHEREAS, Entheogenic Plants, a term originally classified by anthropologists and ethnobotanists in 1979, are herein defined as the full spectrum of psychedelic plants, fungi, and natural materials containing indole amines, tryptamines, phenethylamines, including psilocybin mushrooms, ayahuasca, cacti, and iboga; and

WHEREAS, the possession and use of entheogenic plants and fungi have been criminalized since the passage of the Controlled Substances Act of 1971, yet substance use disorders, post-traumatic stress disorder (PTSD), Persistent Traumatic Stress Environment (PTSE), depression, end-of-life anxiety, grief, cluster headaches, tendencies toward recidivism, and other ailments are plaguing our community, while the use of entheogenic plants such as psilocybin, ayahuasca, ibogaine, and San Pedro cacti have been shown to be beneficial for treating these ailments via scientific and clinical studies and within continuing indigenous practices that catalyze profound experiences of personal and spiritual growth;^{1 2 3 4} and

WHEREAS, the COVID-19 pandemic has led to a resurgence of heroin and opioid overdose deaths⁵ and depression⁶ in Massachusetts communities, two ailments that entheogenic plants have been shown to have particularly strong utility in treating, according to published, peer-reviewed medical research;^{7 8 9 10} and

WHEREAS, indigenous people have used these plants for thousands of years in spiritual and health rituals, demonstrating a critical need to preserve the ability of native peoples to access Lophophora - southwestern cacti that are extremely slow-growing and endangered and to allow for ethnobotanists to cultivate these cacti while discouraging non-native use; and

WHEREAS, as American popular culture promotes compounds for spiritual growth, there exists potential for the extinction and extremely cruel treatment of Bufo Alvarius toads native to the Sonoran Desert and Phyllomedusa bicolor frogs native to the Amazon basin, whose populations should be protected; and

¹ Luoma, Davis, A.K., Lancelotta, R. (2020). A Meta-Analysis of Placebo-Controlled Trials of Psychedelic-Assisted Therapy. Journal of Psychoactive Drugs. Web.

² Davis, A.K., Barrett, F.S., May, D.G., et al. (4 November 2020). Effects of Psilocybin-Assisted Therapy on Major Depressive Disorder: A Randomized Clinical Trial. Journal of the American Medical Association (JAMA) Psychiatry. Web

³ Hendricks, P.S., Johnson, M.W., Griffiths, R.R. (2016). Psilocybin, psychological distress, and suicidality. Journal of Psychopharmacology. Web.

⁴ Griffiths, R., Johnson, M.W., et al. (2016). Psilocybin produces substantial and sustained decreases in depression and anxiety in patients with life-threatening cancer: A randomized double-blind trial. Journal of Psychopharmacology. Web.

⁵ Lannan, K (2021). Massachusetts opioid overdoses remain at elevated levels. WBUR. Web.

⁶ Heun-Johnson et al (2019). The Cost of Mental Illness: Massachusetts Facts and Figures. USC Schaeffer Center for Health Policy and Economics. Web.

⁷ Pisano, V. D., et al (2017). The association of psychedelic use and opioid use disorders among illicit users in the U.S. Journal of Psychopharmacology. Web: "Among respondents with a history of illicit opioid use, psychedelic use is associated with 27% reduced risk of past year opioid use and 40% reduced risk of past year opioid abuse." [sample size: 44,000]

⁸ Aregento et. al (2021). Psychedelic use is associated with reduced daily opioid use among people who use illicit drugs in a Canadian setting. International Journal of Drug Policy. Web: "Recent psychedelic use was associated with 55% reduced odds of daily opioid use."

⁹ Brown, T.K., & Alpert, K. (2018). Treatment of opioid use disorder with ibogaine: detoxification and drug use. American Journal of Drug and Alcohol Abuse. Web

¹⁰ Noeller, G.E., Frampton, C.M. & Yazar-Klosinski, B. (2018). Ibogaine treatment outcomes for opioid dependence from a twelve-month follow-up observational study. The American Journal of Drug and Alcohol Abuse. Web.

WHEREAS, the safest way to use entheogens is to start with small amounts, use them with a trusted friend or facilitator who has experience with the compounds who can offer emotional comfort, use them in a calm setting such as at home with limited distractions, continue conventional mental health treatment such as talk therapy in the weeks following an experience to use spiritual insights for growth, and refrain from use if one has had adverse experiences in the past with cannabis or any severe psychiatric issues requiring hospitalization -

WHEREAS, the War on Drugs has led to the unnecessary penalization, arrest, and incarceration of vulnerable people, particularly people of color and people of limited financial means, rather than prioritizing harm reduction policies to treat drug use as an issue of public health; and

WHEREAS, decriminalization of controlled substances up to five (5) grams represents a necessary step to providing effective substance use disorder treatment by eliminating stigma, so residents can seek treatment without fear of criminalization, and sending a message to the community that investment in comprehensive services in harm reduction and education services is among our top public health priorities; and

~~WHEREAS, access to entheogenic plants and related compounds by all community members regardless of income, health insurance coverage, or profession—especially first responders who suffer from PTSD at a rate five times the general population—should be broadly supported; and~~

WHEREAS, the City Councils of Somerville (9-0), Cambridge (8-1), Northampton (8-0), and Easthampton (7-0) have passed similar resolutions following approval of their legal departments, and decriminalization has occurred in cities including Ann Arbor, Baltimore, Denver, Detroit, Oakland, Santa Cruz, and Washington D.C; and

WHEREAS, Amherst residents have benefited from organizations such as Craig’s Doors, Amherst Survival Center, Family Outreach of Amherst, Amherst Community Connections, CRESS, Tapestry, and numerous organizations in neighboring communities that are working tirelessly to reduce deaths through harm reduction, transitional housing, provision of sterile syringes and other equipment, and advocacy for safe consumption sites, physical intervention, and counseling; and

WHEREAS, despite the fact that Amherst Town departments and the Northwestern District Attorney’s Office have a recognized and long-standing record of directing those arrested for possession of controlled substances into drug diversion treatment programs, often resulting in a “Continued Without a Finding” and no criminal record, possession of controlled substances, use of entheogenic substances, and possession of paraphernalia remain criminal offenses.

NOW, THEREFORE, BE IT RESOLVED, that the Amherst Town Council hereby maintains that the use and possession of all controlled substances up to five (5) grams should be understood by Town departments, agencies, boards, commissions, and all employees of the Town first and primarily as an issue of public health, harm reduction, and as a restorative racial justice initiative.

BE IT FURTHER RESOLVED, that the Amherst Town Council hereby maintains that no Town of Amherst department, agency, board, commission, officer, or employee of the Town should use any Town, state, or federal funds or resources to assist in the enforcement of laws imposing criminal penalties for the use and possession of any controlled substance up to five (5) grams by adults, except use of endangered plants and animal-derived controlled substances.

BE IT FURTHER RESOLVED, that the Amherst Town Council hereby maintains it should be the practice of the Town of Amherst and its departments, agencies, boards, commissions, officers and employees, that the investigation and arrest of persons for planting, producing, purchasing, transporting, distributing, and/or engaging in ceremonial practices with entheogenic plants in Classes A-E of Chapter 94C § 31 of Massachusetts law or Schedules I-V of 21 U.S.C. § 812 of the Controlled Substances Act should be amongst the lowest law enforcement priority for the Town of Amherst.

BE IT FURTHER RESOLVED, that the Amherst Town Council hereby maintains it should be the practice of the Town of Amherst and its departments, agencies, boards, commissions, officers, and employees that the investigation and arrest of credentialed researchers working in university laboratories to test controlled substances, and produce and analyze controlled substances should be amongst the lowest law enforcement priority for the Town of Amherst.

BE IF FURTHER RESOLVED, that this Resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possession, or distribution of any controlled substance, especially on school grounds, driving under the influence of controlled substances, or public disturbance.

BE IT FURTHER RESOLVED that the Amherst Town Council expresses support for H 1494 An Act Establishing a Task Force to Study Equitable Access to Entheogenic Plants, which will convene 21 experts in science, drug policy, economic and racial justice, and state government to recommend legislation to legalize entheogenic plants as well as expunge records and create equity initiatives for victims of the entire war on drugs. This task force requires the study to be done through the lens of racial justice, sustainability, and consideration for BIPOC, veterans, and people with disabilities; and,

~~BE IF FURTHER RESOLVED, that the Amherst Town Council expresses support for state legislation decriminalizing possession of all controlled substances without punitive civil penalties that will reverse local progress and further expresses support for said legislation to include the legalization of entheogenic plants and fungi to prevent this worthy cause from being unnecessarily delayed.~~

BE IF FURTHER RESOLVED, that the Clerk of the Amherst Town Council shall cause a copy of this Resolution to be sent to Governor Charles Baker, Attorney General Maura Healey, Secretary of Veterans' Services Cheryl Lussier Poppe, Senator Karen Spilka, Senator Jo Comerford, Representative Mindy Domb, Representative Ron Mariano, Northwestern District Attorney David Sullivan, Amherst Police Chief Scott Livingstone, Amherst Board of Health Director Jennifer Brown, and the Board of Registration of Allied Mental Health and Human Services Professions.

Voted this _____ day of ~~May~~ June 2022.

Lynn Griesemer, Town Council President