

Draft dated 5/11/2022

## Resolution

### A resolution addressing entheogenic plant practices in the City of Missoula

**Whereas**, Entheogenic Plants, based on the term “entheogen”, originally conceived from a working group of anthropologists and ethnobotanists in 1979; and defined herein as the full spectrum of plants, fungi, and natural materials and/or their extracted compounds, limited to those containing the following types of compounds: indole amines, tryptamines, and phenethylamines; and

**Whereas**, substance abuse, addiction, recidivism, trauma, post-traumatic stress symptoms, chronic depression, severe anxiety, end-of-life anxiety, grief, diabetes, cluster headaches, and other conditions are plaguing our community and that the use of Entheogenic Plants have been shown to be beneficial to 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**, practices with Entheogenic Plants have long existed and have been considered to be sacred to human cultures and human interrelationships with nature for thousands of years, and continue to be enhanced and 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**, seeking to improve their health and well-being through the use of Entheogenic Plants puts 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 – such as the use of ayahuasca by two churches, a Santo Daime congregation and the União do Vegetal; and

**Whereas**, The United Nations considers Entheogenic Plant material used for ritual purposes as excluded from Schedule 1 substances; and

**Whereas**, Entheogenic Plants have been shown to alleviate treatment resistant cases of opiate and methamphetamine addiction at significantly higher rates than all other treatments for addiction. In addition, Entheogenic Plants reported to be beneficial for addiction therapy related to specific work-related PTSD encountered by first responders such as EMT, police, and firefighters, as well as military veterans; and

**Whereas**, Entheogenic Plants can lead to experiences that are reported as mystical or experientially similar to near death experiences and that are can be demonstrably beneficial in treating addiction, depression, PTSD, and in catalyzing profound experiences of personal and spiritual growth; and

**Whereas**, Entheogenic Plants that contain phenethylamine compounds can be beneficial in healing drug and alcohol addiction and for individual spiritual growth, and have been utilized in sacred initiation and community healing by diverse religious and cultural traditions for millennia and continuing use as religious sacraments in modern times; and

**Whereas**, psilocybin, naturally occurring in Entheogenic Plants, can alleviate end-of-life anxiety for hospice and terminal cancer patients, can reduce prison recidivism, and can effectively treat substance abuse, depression, cluster headaches; and

**Whereas**, a Johns Hopkins University study on “healthy-normals” found that psilocybin can occasion mystical-type experiences, which were considered one of the top five most meaningful experiences in a subject’s life for over 75% of their subjects within the first year after the study, and also found continuing positive life-style changes after a 14-month follow-up; and

**Whereas**, the City of Missoula has declared its core values, “in the wake of a national reckoning to systemic inequities” to include Justice, Equity, Diversity and Inclusion (JEDI) in Resolution 8533, and has vowed to utilize these, and their related values, as a lens through which the City of Missoula can guide future policies and practices; and

**Whereas**, the criminalization of entheogenic plants and fungi, instead of fostering, cultivating, and preserving a culture rooted in justice, equity, diversity and inclusion, targets vulnerable populations, who are met from the community with increased difficulty in being able to access affordable housing, stable employment, and non-bias information. The greater weight of the social, cultural, and economic impacts are being perpetuated against minorities and the disadvantaged; and

**Whereas**, the City of Missoula wishes to declare its desire not to expend City resources in any investigation, detention, arrest, or prosecution solely based on alleged violations of state and federal law regarding the use of Entheogenic Plants and Fungi as a standalone offense; and

**Whereas**, enforcement of laws regulating the possession and use of Entheogenic Plant and Fungi has not been a high priority for the City of Missoula with very little public funds directed toward proactive investigation or prosecution of such cases. In conclusion, the investigation and arrest of individuals involved solely with the adult use of entheogenic plants on the federal schedule 1 list is currently not a funding priority for the City of Missoula; and

**Now therefore be it resolved**, that the Mayor and City Council hereby declare that it shall be the policy of the City of Missoula that no department, agency, board, commission, officer or employee of the city, including without limitation, Missoula Police Department personnel, shall use any city funds or resources to assist in the enforcement of laws for the use and possession of Entheogenic Plants by adults as a standalone offense. This resolution is non-binding and only applies to the Missoula City police and Missoula City departments and does not apply to county, state, or federal enforcement; and

**Be it further resolved**, this resolution does not authorize or enable any of the following activities: commercial sales or manufacturing of these plants and fungi, possession of or distributing these materials in schools, driving under the influence of entheogenic plants or compounds, public disturbance or jeopardizing public safety or co-occurring offenses; and

**Be it further resolved**, that the Missoula City Council directs the City administration to instruct the City’s state lobbyists to work in support of decriminalizing all Entheogenic Plants and plant-based compounds that are listed on the Federal Controlled Substances Schedule 1 and contain indole amines, tryptamines, and phenethylamines for adults; and

**Be it further resolved**, that the Mayor and City Council direct the City Clerk to furnish a copy of this resolution to the Missoula County Attorney to make them aware of the City Council’s policy on adult use of Entheogenic Plants or plant-based compounds on the Federal Schedule 1 List that contain indole amines, tryptamines, and phenethylamines; 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.

**Passed and adopted** \_\_\_\_\_.

**ATTEST:**

**APPROVED:**

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Martha L. Rehbein  
Legislative Services Director/City Clerk

John Engen  
Mayor