

## Missoula City Council Public Safety, Health and Operations Committee Minutes

June 15, 2022  
10:20 AM  
ZOOM Webinar

**Members present:** Stacie Anderson, Mirtha Becerra, Daniel Carlino, John P. Contos, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Sandra Vasecka, Heidi West

**Members absent:** Jordan Hess, Amber Sherrill

### 1. ADMINISTRATIVE BUSINESS

#### 1.2 Approval of the Minutes

The minutes were approved as submitted.

### 3. COMMITTEE BUSINESS

#### 3.1 A resolution supporting entheogenic plant practices

Daniel Carolino began the presentation by stating that entheogenic plants have been used for thousands of years for religious, spiritual and medical practices. He believes that drug policy shouldn't be viewed as a criminal issue, but a health issue. He stated that this is a grassroots effort by many Missoulians. Mr. Carolino said he has heard comments of support from therapists, doctors, and dozens and dozens of community members, including veterans who have been treated for PTSD.

Dr. Larry Norris of Decriminalize Nature Montana presented the benefits of hallucinogenic plants and mushrooms and stated that they are not addictive at all. He believes they also assist psychological and physical wellness, support and enhance religious and spiritual practices, and reestablish a direct relationship to nature. He believes that psychedelics can be used in the treatment of Parkinsons, cluster headaches, alzheimer's, opioid and cocaine treatment, and end of life anxiety. Dr. Norris states that psychedelics can also be beneficial to healthy people who have no mental health issue.

Daniel Carlino says that the United States is number one in incarcerations for drug crimes. He states that this is just one small step to chip away at non-violent, victimless crimes that have been punished for the past few decades. He states that arrests for entheogenic plants make it harder for Missoulians to find secure employment, affordable housing and receive non-bias information when they are filling out applications. Mr. Carlino states that our laws disproportionately arrest people from low income and people of color.

Missoula Chief of Police Jaeson White opposes this resolution. Entheogenic plants are classified as Federal Schedule I drugs because of their hallucinogenic properties. They are also defined in state law as a dangerous drug in Section 50.32.101 of the MCA. From January 1, 2020 to April 21, 2022, the police department has investigated 20 cases

involving entheogenic drugs. Out of the 20 cases, three cases of possession were investigated for entheogenic drugs alone. The remaining 17 cases involved additional drugs. Chief White says that this resolution will have an impact on how law enforcement will be able to enforce other drug laws and lead to unintended consequences. This resolution could also jeopardize the \$300,000 in federal funding that is received annually to run the Missoula Drug Task Force - HIDTA operation. This prohibition would prevent law enforcement personnel from assisting County, State and Federal partner agencies.

Missoula is experiencing public safety issues involving methamphetamine, opioids, and fentanyl like we haven't in the past. The overwhelming cases investigated involving entheogenic substances involve multiple dangerous substances, including methamphetamine, opioids and fentanyl. If this resolution passes and the first substance that is encountered in an investigation is an entheogenic substance, the investigation would stop and dangerous drugs would remain in the community. For this reason, the Missoula Police Department does not support this resolution.

D'Shane Barnett of the City/County Health Department states that the Health Department does not have an official position on this issue because the science is just beginning. Mr. Barnett stated that when marijuana was decriminalized, underage use in youth increased. The Health Department is not able to work with underage and problem use if there is decriminalization and no funding.

City Attorney Jim Nugent states that Montana state government does not allow local governments to decriminalize laws. He encourages those who have concerns in these matters to speak to the Chief of Police regarding enforcement of state law. Mr. Nugent states that other agencies are not bound by this resolution, including Montana Highway Patrol, County Sheriff's Office, and County Attorney's Office. The City Council resolution is only a policy statement and the City government may not adopt any resolution or law that pertains to felony offenses. Mr. Nugent's primary message is to work with the Police Department and find out the facts when addressing this issue in the future. Mr. Nugent stated that local government cannot set priority of law enforcement. Also, since there is not a line item in the budget for funding, Mr. Nugent asks people to refer to the Police Department for discussion.

Gwen Jones inquired about the results of each entheogenic case as it relates to the justice system. Although Chief White could not speak to each case, he spoke about rehabilitation programs offered through Drug Court and to get healthy and get back into the community. The program offers rehabilitation, does not involve incarceration, and defers prosecution upon successful completion of the program.

Several public comments were given. This item will be revisited at the next Public Safety and Operations Committee meeting.

**Moved by:** Kristen Jordan

Adopt a resolution addressing entheogenic plant practices in the City of Missoula.

### **3.2 Re-entry Challenges for Returning Citizens and Local Resources**

Benny Lacayo gave a presentation on re-entry of individuals after incarceration. He says there is a stigma in being incarcerated and that these people just want to move on with their lives.

Information only presentation

**4. ADJOURNMENT**

12:06 p.m.