

RESOLUTION NO. 21-088

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT TOWNSEND, WASHINGTON, DECLARING THAT THE INVESTIGATION, ARREST, AND PROSECUTION OF ADULTS ENGAGING IN ENTHEOGEN-RELATED ACTIVITIES SHOULD BE AMONG THE LOWEST ENFORCEMENT PRIORITIES FOR THE CITY OF PORT TOWNSEND AND STATING THE COUNCIL'S SUPPORT FOR FULL DECRIMINALIZATION OF THESE ACTIVITIES

WHEREAS, entheogen is a term that encompasses any living, fresh, dried, or processed plant or fungal material, including teas or powders, that may contain currently scheduled or analog psychoactive indolamines, tryptamines, or phenethylamines, including, but not limited to, psilocybin mushrooms, ayahuasca tea, mescaline, and iboga; and

WHEREAS, depression, severe anxiety, problematic substance use, post-traumatic stress, end-of-life anxiety, grief, intergenerational trauma, and other physical and mental conditions are plaguing many communities and have been exacerbated by the impact of COVID-19, and scientific and clinical studies show the benefits of entheogens in treating these conditions;¹ and

WHEREAS, clinical trials sanctioned by the U.S. Food and Drug Administration (FDA) show positive results that potentially demonstrate the safety and efficacy of psilocybin-assisted therapy;² and

WHEREAS, the FDA designated psilocybin-assisted therapy as a breakthrough therapy for treatment-resistant depression in 2018 and major depressive disorder in 2019;³ and

¹ Roland R. Griffiths et al., Psilocybin Produced Substantial and Sustained Decreases in Depression and Anxiety in Patients with Life-Threatening Cancer: A Randomized Double-Blind Trial, 30 JOURNAL OF PSYCHOPHARMACOLOGY 1181, 1195 (2016); Monnica T. Williams, People of Color in North America Report Improvements in Racial Trauma and Mental Health Symptoms Following Psychedelic Experiences, 28 DRUGS: EDUCATION, PREVENTION AND POLICY 215 (2020); Robin L. Carhart-Harris et al., Psilocybin with Psychological Support for Treatment-Resistant Depression: Six-Month Follow-Up, 235 PSYCHOPHARMACOLOGY 399, 400, 403–05 (2018); Geoffrey E. Noller, Chris M. Frampton & Berra Yazar-Klosinski, Ibogaine treatment outcomes for opioid dependence from a twelve-month follow-up observational study, 44 AMERICAN JOURNAL OF DRUG AND ALCOHOL ABUSE 37 (2018); Alan K. Davis et al., Psychedelic Treatment for Trauma-Related Psychological and Cognitive Impairment Among US Special Operations Forces Veterans, CHRONIC STRESS (Jul. 8, 2020), <https://journals.sagepub.com/doi/full/10.1177/2470547020939564>; Michael Bogenschutz et al., Psilocybin-assisted treatment for alcohol dependence: A proof-of-concept study, 29 JOURNAL OF PSYCHOPHARMACOLOGY 289 (2015); Débora González et al., Therapeutic Potential of Ayahuasca in Grief: A Prospective, Observational Study, 237 PSYCHOPHARMACOLOGY 1171 (2020); Anja Loizaga-Velder and Rolf Verres, Therapeutic effects of ritual ayahuasca use in the treatment of substance dependence-qualitative results, 46 JOURNAL OF PSYCHOACTIVE DRUGS 63 (2014); Deborah C. Mash et al., Ibogaine Detoxification Transitions Opioid and Cocaine Abusers Between Dependence and Abstinence: Clinical Observations and Treatment Outcomes, 9 FRONTIERS IN PHARMACOLOGY 529 (2018).

² Effects of Psilocybin in Major Depressive Disorder, ClinicalTrials.gov (accessed June 1, 2021), <https://clinicaltrials.gov/ct2/show/NCT03181529?term=psilocybin&recrs=e&draw=2&rank=4>; Psychopharmacology of Psilocybin in Cancer Patients, ClinicalTrials.gov (accessed June 1, 2021), <https://clinicaltrials.gov/ct2/show/NCT00465595?term=psilocybin&recrs=e&draw=2&rank=6>.

³ Rachel Feltman, The FDA is fast-tracking a second psilocybin drug to treat depression, POPULAR SCIENCE (Nov. 26, 2019), <https://www.popsci.com/story/health/psilocybin-magic-mushroom-fda-breakthrough-depression/>.

WHEREAS, human cultures around the world recognize entheogens as sacred⁴ and use them as part of their religious practices;⁵ and

WHEREAS, a variety of jurisdictions in the United States, including Ann Arbor, Michigan and the State of Oregon, have decriminalized some or all entheogens⁶ and various entheogens are legal or have been decriminalized in several countries including Portugal, Brazil, Jamaica, and the Netherlands;⁷ and

WHEREAS, the Jefferson County Board of Health passed a resolution in July of 2021 supporting the removal of entheogens and the psychoactive chemicals they contain from the jurisdiction of the Controlled Substances Act and recommended that federal, state, and local law enforcement agencies pursue a decriminalization strategy for adult use of entheogens; and

WHEREAS, while recognizing that changing federal or state laws or penalties is beyond the scope of its authority, the City of Port Townsend wishes to acknowledge the healing potentials of entheogens for its local community and to declare its desire not to expend City resources in any investigation, detention, arrest, or prosecution arising out of alleged violations of state and federal law regarding entheogens;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port Townsend, Washington, that the Council declares that:

Section 1. The investigation, arrest, and prosecution of adults engaging in entheogen-related activities, including but not limited to the cultivation of entheogens for use in religious, spiritual, healing, or personal growth practices, should be a City of Port Townsend low enforcement priority when done in a nonpublic place. This does not include the distribution of entheogens to anyone under the age of eighteen or the use of entheogens by anyone under the age of eighteen.

Section 2. When reasonably possible, the City of Port Townsend and all city departments, agencies, boards, commissions, officers, and employees thereof, including, without limitation, the Port Townsend Police Department, shall not expend city funds or resources to directly assist in the

⁴ Jamilah R. George et al., The Psychedelic Renaissance and the Limitations of a White Dominant Medical Framework: A Call for Indigenous and Ethnic Minority Inclusion, 4 JOURNAL OF PSYCHEDELIC STUDIES 4 (2020) (describing the ceremonial and therapeutic use of psychedelics by indigenous peoples of Africa, North America, Central America, and South America); Melanie J. Miller et al., Chemical evidence for the use of multiple psychotropic plants in a 1,000-year-old ritual bundle from South America, 116 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES 11207 (2019)

⁵ Pierre Didier Nyongo Ndoua & Kaveh Vaghar, Bwiti, iboga, trance and healing in Gabon, 21 MENTAL HEALTH, RELIGION & CULTURE 755 (2018).

⁶ Ann Arbor decriminalizes magic mushrooms, psychedelic plants, ASSOCIATED PRESS (Sept. 26, 2020), <https://apnews.com/article/ann-arbor-plants-featured-ca-state-wire-mi-state-wire0ce69ca0961c150e0f900e8ea4cf432>; Andrew Selsky, Oregon 1st state to decriminalize possession of drugs, ASSOCIATED PRESS (Feb. 1, 2021), <https://apnews.com/article/oregon-decriminalize-drug-possession6843f93c3d55212e0ffb8b93be9196>.

⁷ Andrew Whalen, Magic Mushrooms Guide: Where Shrooms Are Legal and How to Take Psilocybin, NEWSWEEK (July 3, 2019), <https://www.newsweek.com/magic-mushrooms-psilocybin-shrooms-denver-legal-how-take1445041>; Jeff Lebowe, A Global Guide to Where Magic Mushrooms and Psilocybin Are Legal or Decriminalized MERRY JANE (May 28, 2020), <https://merryjane.com/culture/a-global-guide-to-where-magic-mushrooms-andpsilocybin-are-legal-or-decriminalized>.

enforcement of laws (including investigation, detention, arrest, or prosecution) imposing criminal penalties for the planting, cultivating, gathering, transporting, distributing, possession, or using entheogens by adults."

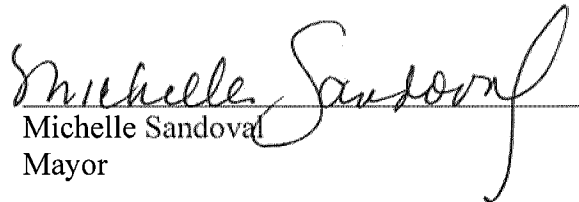
Section 3. The City Manager will ensure that all City Departments, including the City of Port Townsend Police Department, act in accordance with this policy.

Section 4. The City Council supports the full decriminalization of these activities at the state and federal level and commits to add to its agenda for the 2023 state legislative session support for decriminalization of entheogens at the state level.

Section 5. The City maintains that the abuse of controlled substances should be understood primarily as a public health issue.

Section 6. The City requests that the Jefferson County Sheriff's Office and Jefferson County Prosecutor's office adopt policies and procedures consistent with Section 1 and 2 above and calls upon all other agencies that operate in Jefferson County to act in alignment with the values set forth in this resolution.

ADOPTED by the City Council of Port Townsend, Washington, at a regular meeting thereof, held this 20th day of December 2021.



Michelle Sandoval
Mayor

Attest:



Joanna Sanders, MMC
City Clerk

Approved as to form:


Heidi Greenwood
City Attorney