

Entheogenic Practitioners and Measure 109

JON DENNIS

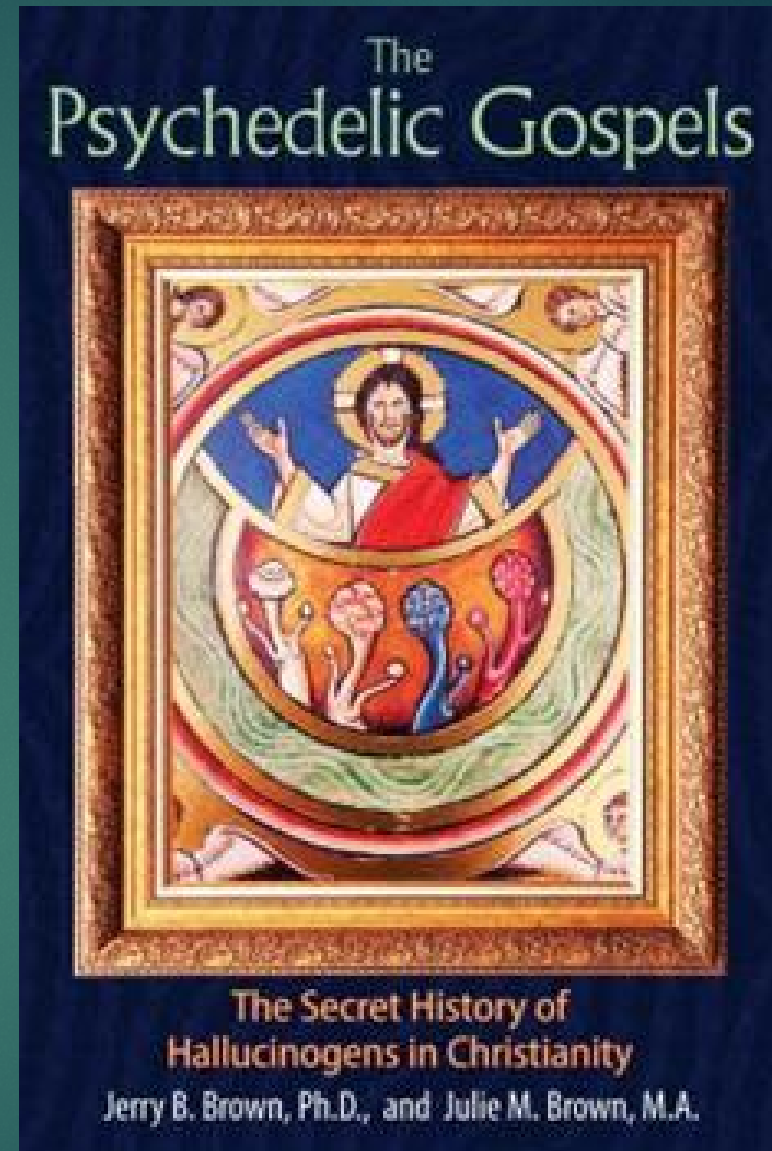
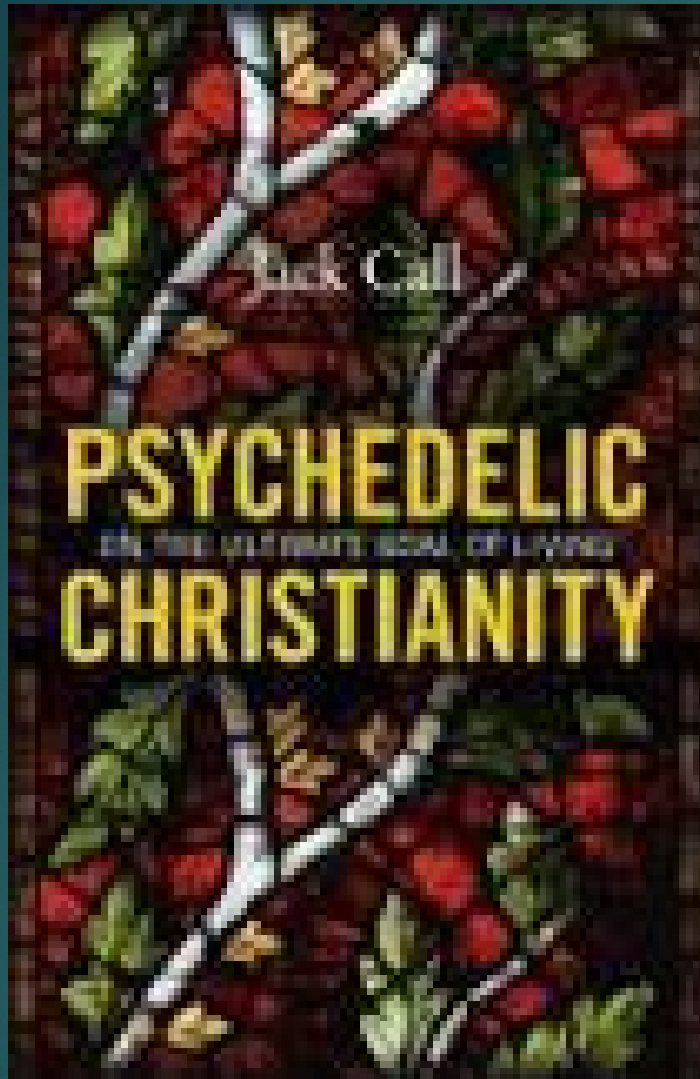
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What is Measure 109?

Measure 109 is a safe(r)
container for psilocybin use.

Categories of Psychedelic Religions

- ▶ An established religion that historic tradition of using psychedelics
- ▶ A new branch or twist of an established religion
- ▶ A newly established religion that uses psychedelics



"Institute for the Advancement of Psychedelic Christianity"



JEWISH PSYCHEDELIC SUMMIT

May 2

May 3

2021

Psychedelics Today - January 7, 2022



RABBI ZAC
KAMENETZ &
THE REV.
HUNT PRIEST

JUDAISM,
CHRISTIANITY,
AND EMBRACING
PSYCHEDELICS

THE IMMORTALITY KEY

THE SECRET HISTORY
OF THE RELIGION WITH NO NAME



FOREWORD BY
GRAHAM
HANCOCK

BRIAN MURARES KU



Religion & Psychedelics FORUM

April 22 ♦ 24, 2022

THE
SACRED
MUSHROOM
AND
THE CROSS



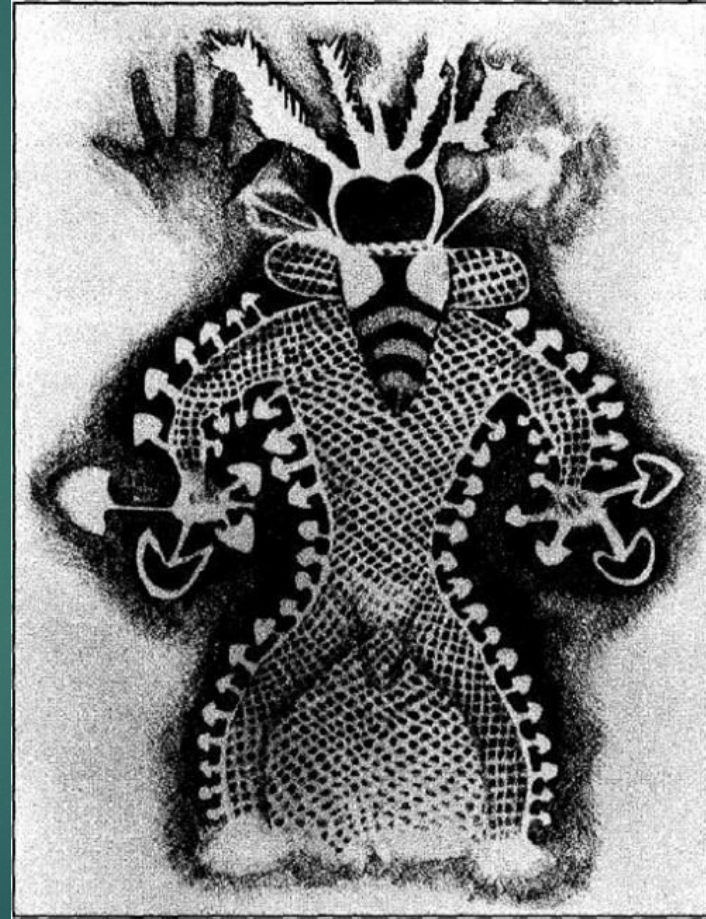
JOHN M. ALLEGRO

OPAB Rapid Evidence Review

Indigenous groups with document use of psilocybin mushrooms include:

- ▶ Mahuatls
- ▶ Mayans
- ▶ Olmec
- ▶ Mazatecs
- ▶ Chinantecs
- ▶ Mixes
- ▶ Zapotecs
- ▶ Chantinos
- ▶ Colima
- ▶ Purepechas
- ▶ Totonacs

Tassili N'Ajjer cave art circa 10,000 BCE



Pre-Columbian Mushroom Stones



Maria Sabina

1894-1985





Maria
Sabina

and

R. Gordon
Wasson



Wasson's 1957
Life Magazine
Article:
"Seeking the
Magic
Mushroom"





PSANCTUARY

THE SACRED MUSHROOM CHURCH

- ▶ A 508(c)(1)(A) faith-based organization
- ▶ Based in Kentucky
- ▶ “Psanctuary is a grounded, nature centered, non-dogmatic, non-hierarchical faith based organization.”
- ▶ “[C]onsumption of psilocybin-containing mushrooms is a communion which brings us closer to what is commonly called God.”

The Divine Assembly

- ▶ 501(c)(3) organization
- ▶ Founded by Steve Urquhart, a lawyer, professor, and former Utah state representative and senator
- ▶ Based in Salt Lake City
- ▶ An “interconnected community of worshipers who sincerely believe psilocybin mushrooms are a divine sacrament that allows us to directly commune with the Divine.”





- ▶ Founded in 2007
- ▶ Merges Lakota Sioux with Oklevueha Band of Seminole
- ▶ Multi-Sacrament Church, including psilocybin
- ▶ Has an independent/unaffiliated branch in Eugene
- ▶ New Hampshire v. Mack (December 2020)

Unknown, underground practitioners?

- ▶ FOIA request by the Chacruna Institute revealed 966 ayahuasca seizures by CBP in 2020.
- ▶ Upcoming survey on contemporary psychedelic religious practice, esp. psilocybin

Nexus between psychedelic science and psychedelic religion

- ▶ Article: "Mystical Experience and Psychedelic-Assisted Psychotherapy: Insights from Guided-Imagery Therapy with Cancer Patients" by Jerry Brown and Julie Brown
 - ▶ "...[T]he intensity of the mystical experience described by patients correlated with the degree to which their depression and anxiety decreased."
- ▶ Article: "Mystical-type experiences occasioned by psilocybin mediate the attribution of personal meaning and spiritual significance 14 months later" by R. Griffiths et al. (Hopkins)
 - ▶ "At the 14-month follow-up, 58% and 67%, respectively, of volunteers rated the psilocybin-occasioned experience as being among the five most personally meaningful and among the five most spiritually significant experiences of their lives; 64% indicated the experience increased well-being or life satisfaction; 58% met criteria for having had a "complete" mystical experience."
- ▶ Article: "Psychedelics alter metaphysical beliefs" by Timmeran, Carhart-Harris, et al. (Imperial College of London)
 - ▶ "Results revealed significant shifts away from 'physicalist' or 'materialist' views, and towards panpsychism and fatalism, post use. With the exception of fatalism, these changes endured for at least 6 months, and were positively correlated with the extent of past psychedelic-use and improved mental-health outcomes."



What is the best “container” for psychedelic healing modalities?

“Therapy”

vs.

“Religious Community”

Mystical experiences in the therapist’s office is a
new concept.

Psychedelic religious practice in the US: a (very brief) legal history

- ▶ Peyote
- ▶ Oregon v. Smith
- ▶ Religious Freedom Restoration Act
 - ▶ UDV
 - ▶ Santo Daime
 - ▶ *City of Boerne v. Flores*, 521 U.S. 507
- ▶ Religious Land Use and Institutionalized Persons Act (42 USC 2000cc, et seq.)
- ▶ New Hampshire v. Mack

Religious Freedom Restoration Act ("RFRA") 42 U.S.C. § 2000bb et seq.

- ▶ Passed in direct response to Oregon's law that permitted discrimination against a person's religious use of peyote.
- ▶ Passed Senate 97-3
- ▶ Pass the House unanimously
- ▶ Originally intended to bind the states
- ▶ Basis for unanimous decision in US Supreme Court case *Gonzales v. O Centro Espírita Beneficente União do Vegetal*, 546 US 418 (2006).
 - ▶ Dozens submitted or signed amicus briefs in support of the church, including: Catholic Bishops of North America, Joint Baptist Committee, National Council of Evangelical Christians, Presbyterian Church of The United States, American Civil Liberties Union, American Jewish Congress, Sikh Coalition, etc.

Religious Freedom Restoration Act ("RFRA") 42 U.S.C. § 2000bb et seq

- ▶ Government may not substantially burden a persons exercise of religion (even through laws of general applicability), unless:
 - ▶ The burden furthers a "compelling government interest;" and
 - ▶ The burden imposed is the "least restrictive means" of for the government to that interest
- ▶ Government must tread lightly and carefully.




ENTHEOGENIC PRACTITIONER PRIVILEGES AND DUTIES

Inspirations for the model

- ▶ Practices of known psychedelic religions, particularly psilocybin religions
- ▶ Santo Daime peer support
- ▶ Stakeholder input
- ▶ DEA petition process for requesting religious exemptions from the Controlled Substances Act
- ▶ Oregon's protections for religious use of peyote
- ▶ Maria Sabina

Statutory “non-negotiables” under M109

- ▶ At least one facilitator must be present and must not take psilocybin during ceremony
- ▶ Facilitation must be performed in a non-directive manner
- ▶ Psilocybin must be consumed and experienced at a licensed facility
- ▶ Prohibition on outdoor cultivation
- ▶ Only psilocybin is lawful
- ▶ Psilocybin must be sold; can't be given away or included with services
- ▶ Mandatory Client Information Forms and preparation sessions; must offer integration




Because of the foregoing “non-negotiables,” the most religious liberty and autonomy that is possibly available under M109 is less than what is already recognized under federal law.

Why would a religious practitioner operate under M109?

- ▶ Current options are limited:
 - 1) Practice underground;
 - 2) Petition the DEA to approve of their practices;
 - 3) Sue the federal and/or state government for a declaration that the practices are “legitimate” and lawful; or
 - 4) Practice in another country.
- ▶ Above-ground practice gives peace of mind
- ▶ Practitioners and communities would benefit from OHA oversight and accountability

“Negotiables” under M109

- ▶ Types of activities that can be conducted
- ▶ Group ceremonies
- ▶ Outdoor ceremonies
- ▶ Ceremonies led by clients
- ▶ Dose
- ▶ Number of facilitators required
- ▶ Activities of facilitator (so long as non-directive)
- ▶ Place where facilitators are stationed
- ▶ Growing techniques and substrates
- ▶ Species of cultivation
- ▶ Storage and handling of psilocybin
- ▶ Testing of psilocybin
- ▶ Non-segregated co-located service center and manufacturer
- ▶ Frequency of preparation sessions and Client Information Forms
- ▶ Number of preparation and integration sessions
- ▶ Assistance from a person other than a facilitator



If Oregon gives less than the most religious liberty that is available under M109, it would constitute a setback in the hard-fought progress that entheogenic religions have won over decades of struggle.

Considerations for Framework

- ▶ It must permit a broad range of religious practices and ceremonies without unnecessary interference
- ▶ It must create a pathway for religious practice that is within financial reach of marginalized communities;
- ▶ The regulations should allow special rules around the growing, storing, handling, and testing of psilocybin mushrooms that reflect the view common in many entheogenic communities that the mushrooms themselves are sacred objects worthy of reverential treatment;

Considerations for Framework

- ▶ The regs must provide meaningful oversight of and accountability for religious practitioners, particularly in:
 - ▶ Screening new members;
 - ▶ Disclosing risks/obtaining informed consent;
 - ▶ Preventing abuse; and
 - ▶ Ensuring that religious practice is conducted in a safe manner;

Considerations for Framework

- ▶ Must not give preferences to “religious” over “non-religious” organizations or individuals.
 - ▶ Protections should be framed in terms of sincere practice relating to one’s deeply-held values, beliefs, and convictions, rather than affiliation with a religious organization;
 - ▶ See, e.g., *Meltebeke v. Bureau of Lab. & Indus.*, 322 Or at 147 (Oregon’s constitutional religious protections “extend[] to religious believers and nonbelievers alike.”);
 - ▶ “Entheogenic” rather than “religious”
- ▶ It should be simple enough to administer that it does not cause a substantial burden on OHA.

Oregon's Religious Protections for Peyote: ORS 475.752(4)

- ▶ It is an affirmative defense in any prosecution under this section for manufacture, possession or delivery of the plant of the genus *Lophophora* commonly known as peyote that the peyote is being used or is intended for use:
 - ▶ (a) In connection with the good faith practice of a religious belief;
 - ▶ (b) As directly associated with a religious practice; and
 - ▶ (c) In a manner that is not dangerous to the health of the user or others who are in the proximity of the user.

Key Features:

- ▶ Self-contained, closed-loop system within M109
- ▶ Liberal rules around religious and spiritual ceremony
- ▶ Affordable Pathway to Services
 - ▶ Peer-support assistance
 - ▶ Liberal rules for entheogenic products, including “homegrown” mushrooms
- ▶ Provides meaningful OHA oversight and accountability
- ▶ Protects those who practice in accordance with sincerely held faith, belief, or conviction
- ▶ Controls available to slow the speed of growth of peer support
- ▶ As proposed, only available to nonprofit organizations
- ▶ Requires participation in a plant medicine reciprocity program

Caveats

- ▶ Won't able to accommodate all entheogenic practitioners
- ▶ Still seeking and awaiting on additional stakeholder input
 - ▶ A living document
- ▶ Drafted without knowledge of actual rules
 - ▶ Final version should have as any of these privileges and duties located within the general rules.

Policy Options

- ▶ More liberal admission criteria (all nonprofits?)
- ▶ Grant privileges on a privilege-by-privilege basis, based on specific requests, instead of granting the whole bundle of privileges to all entheogenic practitioners
- ▶ Impose formal requirements before a client can offer peer-support assistance;
- ▶ Mandatory ratios concerning clients providing peer support
- ▶ Progressive fee structure

Policy Options

- ▶ Could take a completely hands-off approach once someone requests a religious license, and then only investigate complaints that would that conduct be
 - ▶ 1 facilitator;
 - ▶ "Home-grown" mushrooms onsite;
 - ▶ "in a manner that is not dangerous to the health of the user or others who are in the proximity of the user."
 - ▶ Investigates complaints

Reasons to Adopt the Entheogenic Practitioners Privileges and Duties:

- ▶ Protects traditional, indigenous, and religious use to the maximum extent allowed by M109
- ▶ Reduce the potential for abuse in the underground
- ▶ Oregon must not repeat the result of Oregon v. Smith
- ▶ Oregon has already established a policy of administratively supporting sincere entheogenic practitioners with Santo Daime
- ▶ Religious use is a large segment of psychedelics, and ever growing
- ▶ Most affordable route of access proposed thus far
- ▶ OHA is held only to a “rational basis” standard
- ▶ It's the right thing to do.

Maria Sabina





\$6,000 (\$59,500 equivalent 2018 money)

Published pictures and name

Visitors to Huautla de Jiménez

Gov't crackdown on ancient traditions

“Never, as far as I remember, were the *saint children* eaten with such a lack of respect.”

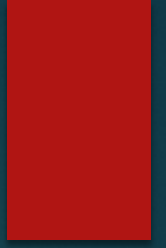
“From the moment the foreigners arrived, the holy children lost their purity,” she said. “They lost their force, they ruined them. Henceforth they will no longer work. There is no remedy for it.”



Psychedelics-Industrial Complex

- ▶ Atai Life Sciences (NASDAQ: ATAI)
- ▶ Compass Pathways (NASDAQ: CMPS)
- ▶ GH Research (NASDAQ: GHRS)
- ▶ MindMed (NASDAQ: MNMD)
- ▶ Cybin (NYSE: CYBN)
- ▶ Field Trip (NASDAQ: FTRP)
- ▶ Seelos Therapeutics (NASDAQ: SEEL)
- ▶ Small Pharma (TSXV: DMT)
- ▶ Numinus Wellness (TSXV: NUMI)
- ▶ Bright Minds Biosciences (NASDAQ: DRUG)
- ▶ Incannex Health
- ▶ (ASX: IHL.AX)
- ▶ Revive Therapeutics (CSE: RVV)
- ▶ Red Light Holland (CSE: TRIP)
- ▶ Awakn Life Sciences (NEO: AWKN)
- ▶ Mindset Pharma (CSE: MSET)
- ▶ Mydecine Innovations Group (NEO: MYCO)
- ▶ Filament Health (NEO: FH)
- ▶ Enveric Biosciences (NASDAQ: ENVB)
- ▶ PsyBio Therapeutics (TSXV: PSYB)
- ▶ Optimi Health (CSE: OPTI)
- ▶ Universal Ibogaine (TSXV: IBO)
- ▶ Levitee Labs (CSE: LVT)
- ▶ Entheon Biomedical (CSE: ENBI)
- ▶ MINDCURE (CSE: MCUR)
- ▶ Novamind (CSE: NM)
- ▶ Clearmind Medicine (CSE: CMND)
- ▶ MYND Life Science (CSE: MYND)
- ▶ Wesana Health (CSE: WESA)
- ▶ Psyched Wellness (CSE: PSYC)
- ▶ HAVN Life Sciences (CSE: HAVN)
- ▶ PharmaTher (CSE: PHRM)
- ▶ BetterLife Pharma (CSE: BETR)
- ▶ Braxia Scientific (CSE: BRAX)
- ▶ Tryp Therapeutics (CSE: TRYP)
- ▶ Psyence Group (CSE: PSYG)
- ▶ Silo Pharma (OTC: SILO)
- ▶ Core One Labs (CSE: COOL)
- ▶ M2BIO (OTC: WUHN)
- ▶ Neonmind Biosciences (CSE: NEON)
- ▶ PharmaDrug (CSE: PHRX)
- ▶ Lobe Sciences (CSE: LOBE)
- ▶ Delic Corp (CSE: DELC)
- ▶ Nova Mentis Life Science (CSE: NOVA)
- ▶ Algernon Pharmaceuticals (CSE: AGN)
- ▶ Silo Wellness (CSE: SILO)
- ▶ Aion Therapeutics (CSE: AION)
- ▶ Ehave (OTC: EHVVF)
- ▶ Heading Health

MARKET CAP:
around \$4.8BB



The best opportunity to add religious use protections into the “Oregon Model” is now.

Partnership between OHA and Entheogenic Practitioners

- ▶ Inviting entheogenic practitioners above ground:
 - ▶ Reduces harms, particularly from abuse;
 - ▶ Ensures oversight and accountability
 - ▶ Guarantees screening of clients
- ▶ OHA guidance on safety best practices
- ▶ Helps achieve M109 goals of ensuring accessibility and affordability
 - ▶ Creates a collaborative pathway to an equitable system
- ▶ Avoids entheogenic practitioners from having to sue to establish