

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. XXXXX)

RESOLUTION

A Resolution declaring that the investigation, arrest, and prosecution of individuals engaging in Personal or Spiritual Use¹ of Entheogenic Plants and Fungi² be the lowest law enforcement priority for the City of Philadelphia, and urging the Pennsylvania State legislature to immediately enact state law that: (1) decriminalizes Entheogenic Plants and Fungi; and (2) recognizes and protects the right of local jurisdictions to authorize its residents to engage in community healing ceremonies involving the use of Entheogenic Plants and Fungi without fear of arrest and prosecution when practiced in accordance with safe practice guidelines and principles.

WHEREAS, Entheogenic Plants -- based on the term “entheogen,” originally conceived by Ott, Ruck, and other colleagues from a working group of anthropologists and ethnobotanists in 1979, and defined herein to include the full spectrum of plants, fungi, and natural materials deserving reverence and respect from the perspective of the individual and the collective, that can inspire

¹ “Personal or Spiritual Use” as defined herein includes the propagation, planting, cultivation, harvesting, drying, processing, possession, consumption, ingestion, sharing, furnishing, and consensual administration of Entheogenic Plants and Fungi by natural persons.

² “Entheogenic Plant and Fungi” or “Entheogenic Plants” as used herein means plants and natural sources (as defined herein), such as spores, mycelium, fungi, cacti, iboga-containing plants and/or extracted combinations of plants similar to Ayahuasca that are included in Schedule I of the Pennsylvania Controlled Substance Drug, Device and Cosmetic Act, P.L. 233, No. 64 of 1972, 35 P.S. § 780-104; and limited to those containing the following types of compounds: indole amines, tryptamines, phenethylamines.

personal and spiritual well-being³ -- have been consistently demonstrated to benefit psychological⁴ and physical wellness⁵, and can reestablish human's inalienable and direct relationship to nature; and

WHEREAS, Practices with Entheogenic Plants and Fungi have long existed and have been considered to be sacred to human cultures and human interrelationships with nature for thousands of years⁶, and continue to be enhanced and improved to this day by religious and spiritual leaders,

³ Entheogens for Personal and Spiritual Growth

- Frecska, E., et al. (2012) Enhancements of Creative Expression and Entoptic Phenomena as After-Effects of Repeated Ayahuasca Ceremonies. *Journal of Psychoactive Drugs* 44(3), pp. 191-199
- Hartogsohn, I. (2018) The Meaning-Enhancing Properties of Psychedelics and Their Mediator Role in Psychedelic Therapy, Spirituality, and Creativity. *Frontiers in Neuroscience*, 12 (129). doi: 10.3389/fnins.2018.00129
- Maclean, K., et al. (2011) Mystical experiences occasioned by the hallucinogen psilocybin lead to increases in the personality domain of openness. *Journal of Psychopharmacology*, 25(11) 1453-1461.
- Moro, L., et al. (2011) Voice of the Psychonauts: Coping, Life Purpose, and Spirituality in Psychedelic Drug Users. *Journal of Psychoactive Drugs*, 43 (3), pp. 188-198. DOI: 10.1080/02791072.2011.605661
- Nour, M., et al. (2017) Psychedelics, Personality and Political Perspectives. *Journal of Psychoactive Drugs*. DOI: 10.1080/02791072.2017.1312643
- Sweat, N., et al. (2016) Hie Associations of Naturalistic Classic Psychedelic Use, Mystical Experience, and Creative Problem Solving. *Journal of Psychoactive Drugs*, 48 (5), pp 344-350, DOI: 10.1080/02791072.2016.1234090

⁴ Entheogens and Psychological Wellness

- Frecska, E., et al., (2016) The Therapeutic Potentials of Ayahuasca: Possible Effects against Various Diseases of Civilization. *Frontiers in Pharmacology*, 7(35). Doi: 10.3389/fphar.2016.00035
- McKenna, D. (2004) Clinical investigations of the therapeutic potential of ayahuasca: rationale and regulatory challenges. *Pharmacology & Therapeutics* 102(2), pp. 111-129.
- dos Santos, R. et al. (2017) Effects of the Natural β-Carboline Alkaloid Harmine, A Main Constituent of Ayahuasca, in Memory and in the Hippocampus: A Systematic Literature Review of Preclinical Studies. *Journal of Psychoactive Drugs*, 49 (1), pp. 1-10, DOI: 10.1080/02791072.2016.1260189
- Wilcox, J. (2014) Psilocybin and Obsessive-Compulsive Disorder. *Journal of Psychoactive Drugs*, 46 (5), pp. 393-395. DOI: 10.1080/02791072.2014.963754

⁵ Entheogens and Physical Wellness

- Djamshidian, A., et al. (2015) Banisteriopsis caapi, a Forgotten Potential Therapy for Parkinson's Disease?, Movement Disorders Clinical Practice.
- Liu, X., et al., (2017) Hamiine is an inflammatory inhibitor through the suppression of NF-κB signaling. *Biochemical and Biophysical Research Communications*, <http://dx.doi.org/10.1016/j.bbrc.2017.05.126> Ly et al. (2018). Psychedelics Promote Structural and Functional Neural Plasticity. *Cell Reports* 23, pp. 3170-3182.
- McCleary, J., et al., (1960) Antibiotic activity of an extract of peyote (*Lophophora Willamii*). *Economic Botany*, 14(3), pp. 247-249.
- dos Santos, R. (2014) Immunological Effects of Ayahuasca in Humans. *Journal of Psychoactive Drugs*, 46 (5), pp. 383-388.
- Samoylenko, V., et al. (2010) Banisteriopsis caapi, a unique combination of MAO inhibitory and antioxidative constituents for the activities relevant to neurodegenerative disorders and Parkinson's disease. *Journal of Ethnopharmacology*, 127 (2), pp. 357-367. doi: 10.1016/j.jep.2009.10.030.

⁶ Historical Use of Entheogens

- El-Seedi, H., et al. (2005) Prehistoric peyote use: Alkaloid analysis and radiocarbon dating of archaeological specimens of *Lophophora* from Texas. *Journal of Ethnopharmacology* 101(1), pp. 238-242.
- Guzman, G. (2008) Hallucinogenic Mushrooms in Mexico: An Overview. *Economic Botany*, 62(3), pp. 404-412.
- Miller, L., et al. (2019) Chemical evidence for the use of multiple psychotropic plants in a 1,000-year-old ritual

practicing professionals, mentors, and healers throughout the world, many of whom have been forced underground; and,

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

WHEREAS, The Entheogenic Plant practices of certain groups are already explicitly protected in the U.S. under the doctrine of religious freedom, protected by U.S. Federal law; and

WHEREAS, the “War on Drugs” has resulted in 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 abuse as an issue of public health; and

WHEREAS, Substance abuse⁷, addiction, recidivism⁸, trauma, post-traumatic stress symptoms, chronic depression, severe anxiety⁹, end-of-life anxiety, grief¹⁰, diabetes¹¹, cluster headaches¹², and

bundle from South America. Proceedings of the National Academy of Sciences. DOI: 10.1073/pnas. 190217411
Samorini, G. (1992) The Oldest Representations of Hallucinogenic Mushrooms in The World (Sahara Desert, 9000 - 7000 B.P.). Integration, Journal of Mind-moving Plants and Culture 2/3

⁷ **Entheogens and Substance Abuse**

- Bogenschutz, M., et al. (2015) Psilocybin-assisted treatment for alcohol dependence: A proof-of-concept study. Journal of Psychopharmacology 29(3), pp. 289-299.
Bogenschutz, M., and Forcehimes, A. (2017) Development of a Psychotherapeutic Model for Psilocybin-Assisted Treatment of Alcoholism. Journal of Humanistic Psychology, 57(4), pp. 389-414.
Johnson, M., et al. (2017) Anon line survey of tobacco smoking cessation associated with naturalistic psychedelic use. Journal of Psychopharmacology 31 (7), pp. 841-850.
De Veen, B. (2017) Psilocybin for treating substance use disorders? Expert Review on Neurotherapeutics, 17 (2), pp. 203-212. DOI: 10.1080/14737175.2016.1220834

⁸ **Entheogens and Recidivism**

- Romero, S. (March 28, 2015). In Brazil, some inmates get therapy with hallucinogenic tea. The New York Times.

⁹ **Entheogens and Anxiety**

- Sarris, J., et al. (2013) "Plant-based medicines for anxiety disorders, part 2: a review of clinical studies with supporting preclinical evidence." CNS Drugs 27(4), pp. 301- 319.

¹⁰ **Entheogens and Grief**

- Gonzalez, D., et al. (2017) Potential Use of Ayahuasca in Grief Therapy. OMEGA-Journal of Death and Dying, pp. 1-26.

¹¹ **Ayahuasca and Diabetes**

- Wang, P., et al., (2015) A high-throughput chemical screen reveals that harmine-mediated inhibition of DYRK1A increases human pancreatic beta cell replication. Nature Medicine 21, pp. 383-388.

¹² **Entheogens and Cluster Headaches**

- Schindler, E., et al. (2015) Indoleamine Hallucinogens in Cluster Headache: Results of the Clusterbusters

other conditions are plaguing our community. The opioid crisis is a national concern, and among the nation's counties with at least 1 million residents, Philadelphia reported the highest rate of drug-overdose deaths in 2017. In 2019, there were 1,150 overdose deaths in the City, of which 84 percent involved an opioid¹³; and

WHEREAS, The COVID-19 pandemic has led to a resurgence of heroin and opioid overdose deaths and severe depression in Philadelphia communities, two ailments that Entheogenic Plants and Fungi have been shown to have particularly strong utility in treating, according to published, peer-reviewed medical research; and

WHEREAS, The U.S. Department of Health and Human Services (HHS) announced more than \$1.8 billion in funding to states to combat the opioid crisis. The Drug Enforcement Agency and National Survey on Drug Use and Health estimated that there were between 122,000 and 150,000 Philadelphians in need of substance-use disorder treatment, and approximately 14,000 people were treated for opioid-use disorder in Philadelphia's publicly funded system in a 12-month period. From 2007 to 2016, the opioid epidemic cost Pennsylvania's criminal justice system an estimated \$526 million¹⁴; and

WHEREAS, The use of Entheogenic Plants and Fungi has been demonstrated to be beneficial to the health and the 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, Entheogenic Plants and Fungi containing ibogaine, for example, have been shown to alleviate treatment-resistant cases of opioid and methamphetamine addiction at significantly higher rates than all other treatments for addiction¹⁵. In addition, ibogaine is reported to be beneficial for

Medication Use Survey, Journal of Psychoactive Drugs, 47:5, 372-381, DOI: 10.1080/02791072.2015.1107664

¹³ **Philadelphia Overdose Statistics**

The Pew Charitable Trusts, Philadelphia Research and Policy Initiative, Public Health and the Opioid Crisis, www.pewtrusts.org/en/projects/philadelphia-research-and-policy-initiative/public-health-and-the-opioid-crisis Philadelphia Department of Public Health. Unintentional Drug Overdose Fatalities in Philadelphia, 2019. CHART 2020.

¹⁴ **Opioid Treatment and Criminal Justice Costs**

U.S. Department of Health & Human Services (2019) Trump Administration Announces \$1.8 Billion in Funding to States to Continue Combating Opioid Crisis. Accessed online, www.hhs.gov/about/news/2019/09/04/trump-administration-announces-1-8-billion-funding-states-combating-opioid.html

City of Philadelphia, (2017) The Mayor's Task Force to Combat the Opioid Epidemic in Philadelphia, Final Report & Recommendations, Accessed online, www.phila.gov/documents/opioid-task-force-report

Zajac, Gary, et al. (2019) Estimated Costs to the Pennsylvania Criminal Justice System Resulting From the Opioid Crisis. The American Journal of Managed Care. Volume 25, Issue 13, 2019;25:-S0

¹⁵ **Iboga/Ibogaine for Addiction Therapy**

Alper, K., et al. (1999) Treatment of acute opioid withdrawal with ibogaine. American Journal of Addictions, 8(3), 234-242. doi: 10.1080/105504999305848

Brown, T.K. (2013) Ibogaine in the treatment of substance dependence. Current Drug Abuse Reviews, 6(1), 3-16.

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, Ibogaine is known as an addiction interrupter, which addresses both psycho-emotional mental states, as well as the physical cravings and withdrawals that often inhibit the recovery process; and

WHEREAS, The National Institute of Drug Abuse (NIDA) advocates for science-driven solutions and new treatments that can support opioid-use disorder. However, NIDA neglects to mention ibogaine on their list of effective medications. Ibogaine has a significantly higher success rate than other available treatments and demonstrates efficacy after a single dose, in contrast to long-term treatments such as methadone; and

WHEREAS, Entheogenic Plants and Fungi or combinations of plants such as ayahuasca that contain forms of N,N-Dimethyltryptamine (DMT), a naturally occurring compound in the human body that is listed as a Schedule I substance under state and federal law, can be demonstrably

doi: 10.2174/15672050113109990001

Brown, T. and Alper, K. (2017) Treatment of opioid use disorder with ibogaine: detoxification and drug use outcomes. *The American Journal of Drug and Alcohol Abuse*. DOI: 10.1080/00952990.2017.1320802

Luciano, D. (1998) Observations on treatment with ibogaine. *American Journal of Addictions*, 7(1), pp. 89-89. doi:10.1111/j.1521-0391.1998.tb0_0472.x

Mash, D., et al. (2001) Ibogaine in the treatment of heroin withdrawal. In K. Alper, & G.A. Cordell (Eds.), *The alkaloids: Chemistry and biology* (1st ed., Vol. 56, pp. 155- 171). London: Academic Press/Elsevier.

Mash, D., et al. (2018) Ibogaine Detoxification Transitions Opioid and Cocaine Abusers Between Dependence and Abstinence: Clinical Observations and Treatment Outcomes. *Frontiers in Pharmacology*. 9:529. doi: 10.3389/fphar.2018.00529

Sheppard, S.G. (1994) A preliminary investigation of ibogaine: Case reports and recommendations for further study. *Journal of Substance Abuse Treatment*, 11(4), 379- 385. doi: 10.1016/0740-5472(94)90049-3

beneficial in treating addiction¹⁶, depression¹⁷, PTSD¹⁸, and in catalyzing profound experiences of personal¹⁹ and spiritual growth²⁰; and

¹⁶ **Ayahuasca for Addiction Therapy**

- Barbosa, P., et al. (2018) Assessment of Alcohol and Tobacco Use Disorders Among Religious Users of Ayahuasca. *Frontiers in Psychiatry*, 9 (136). doi: 10.3389/fpsyg.2018.00136
- Brierley, D., and Davidson, C. (2012) Developments in harmine pharmacology-Implications for ayahuasca use and drug-dependence treatment. *Progress in Neuro-psychopharmacology & Biology* 39(2), pp. 263-272.
- Liester, M. and Prickett, J. (2012) Hypotheses Regarding the Mechanisms of Ayahuasca in the Treatment of Addictions. *Journal of Psychoactive Drugs*, 44 (3), pp. 200-208. DOI: 10.1080/02791072.2012.704590
- Loizaga-Velder, A., and Verres, R. (2014) Therapeutic effects of ritual ayahuasca use in the treatment of substance dependence-qualitative results. *Journal of Psychoactive Drugs* 46(1), pp. 63-72.
- Mabit, J., et al. (1996) Takiwasi: The Use of Amazonian Shamanism to Rehabilitate Drug Addicts. *Yearbook of Cross-Cultural Medicine and Psychotherapy*. W. Andritzky. Berlin, International Institute of Cross-Cultural Therapy Research.
- Talina, P., and Sanabriab, E. (2017) Ayahuasca's entwined efficacy: An ethnographic study of ritual healing from addiction. *International Journal of Drug Policy* 44, pp. 23-30.
- Thomas, G., et al. (2013) Ayahuasca-assisted therapy for addiction: results from a preliminary observational study in Canada. *Current Drug Abuse Review* 6(1), pp. 30-42.

¹⁷ **Ayahuasca and Depression**

- Anderson, B. (2012) Ayahuasca as Antidepressant? *Psychedelics and Styles of Reasoning in Psychiatry. Anthropology of Consciousness*, 23 (1), pp. 44-59.
- de L. Osorio, F., et al. (2015) Antidepressant effects of a single dose of ayahuasca in patients with recurrent depression: a preliminary report. *Revista Brasileira de Psiquiatria* 37(1), pp. 13-20.
- Palhano-Fontes, F., et al. (2014) The Therapeutic Potentials of Ayahuasca in the Treatment of Depression. *The Therapeutic Use of Ayahuasca*. B. C. Labate and C. Cavnar, Springer: Berlin, Heidelberg, pp. 23-39.
- dos Santos, R., et al. (2016) Anti-depressive, anxiolytic, and anti-addictive effects of ayahuasca, psilocybin and lysergic acid diethylamide (LSD): A systematic review of clinical trials published in the last 25 years. *Therapeutic Advances in Psychopharmacology*, 6(3), pp. 193-213. doi:10.1177/2045125316638008

¹⁸ **Ayahuasca and PTSD**

- Nielson, J. and Megler, J. (2014) Ayahuasca as a Candidate Therapy for PTSD. *The Therapeutic Use of Ayahuasca*. B. C. Labate and C. Cavnar, Springer: Berlin, Heidelberg, pp. 41-58.

¹⁹ **Ayahuasca and Personal Growth**

- Bouso, J.C., et al. (2012) Personality, Psychopathology, Life Attitudes and Neuropsychological Performance among Ritual Users of Ayahuasca: A Longitudinal Study. *PLoS ONE* 7(8).
- Kuypers, K., et al. (2016) Ayahuasca enhances creative divergent thinking while decreasing conventional convergent thinking. *Psychopharmacology*. DOI 10.1007/s00213-016-4377-8
- Soler J., et al. (2018) Four Weekly Ayahuasca Sessions Lead to Increases in "Acceptance" Capacities: A Comparison Study With a Standard 8-Week Mindfulness Training Program. *Frontiers in Pharmacology*, 9 (224). doi: 10.3389/fphar.2018.00224

²⁰ **Ayahuasca and Spiritual Growth**

- Harris, R., and Gurel, L. (2012) A Study of Ayahuasca Use in North America. *Journal of Psychoactive Drugs* 44(3): 209-215
- Trichter, S., et al. (2009) Changes in spirituality among ayahuasca ceremony novice participants. *Journal of Psychoactive Drugs* 41(2), pp. 121-134.
- Tupper, K. (2010) Entheogenic healing: The spiritual effects and therapeutic potential of ceremonial ayahuasca use. *The healing power of spirituality: How faith helps humans thrive*, Volume 3. J. H. Ellens. Santa Barbara, Praeger: pp. 269.:282.
- Tupper, K.W. (2002) Entheogens and Existential Intelligence: The Use of Plant Teachers as Cognitive Tools.

WHEREAS, Entheogenic cacti that contain phenethylamine compounds such as mescaline have been proven to be beneficial in addressing drug and alcohol addiction²¹ and for individual spiritual growth²², and have been utilized in sacred initiation and community healing by diverse religious and cultural traditions for millennia and continued use as religious sacraments in modern times; and

WHEREAS, Psilocybin, naturally occurring in entheogenic mushrooms, has been shown to alleviate end-of-life anxiety for hospice and terminal cancer patients²³, reduce prison recidivism²⁴, and effectively treat substance abuse, depression²⁵, and cluster headaches²⁶; and

WHEREAS, A Johns Hopkins University study found that psilocybin can create mystical-type experiences, which were considered one of the top five most meaningful experiences in a subject's

Canadian Journal of Education 27(4), pp. 499-516.

²¹ **Peyote for treatment of alcohol and drug dependence**

Winkelman, M. (2014) Psychedelics as Medicines for Substance Abuse Rehabilitation: Evaluating Treatments with LSD, Peyote, Ibogaine and Ayahuasca. Current Drug Abuse Reviews 7, pp. 101-116.

²² **Peyote**

Calabrese, J. (2007) The Therapeutic Use of Peyote in the Native American Church Chapter 3 in Vol. 1 of Psychedelic Medicine: New Evidence for Hallucinogens as Treatments. Michael J. Winkelman and Thomas B. Roberts (editors). Westport, CT: Praeger/Greenwood.

Feeney, K. (2007) The Legal Basis for Religious Peyote Use. Chapter 13 in Vol 1 of Psychedelic Medicine: New Evidence for Hallucinogens as Treatments. Michael J. Winkelman and Thomas B. Roberts (editors). Westport, CT: Praeger/Greenwood.

²³ **Psilocybin for End-of-Life Anxiety**

Blinderman, C. (2016) Psycho-existential distress in cancer patients: A return to entheogens. Journal of Psychopharmacology 30 (12), pp. 1205-1206.

Kelmendi, B., et al. (2016) The role of psychedelics in palliative care reconsidered: A case for psilocybin. Journal of Psychopharmacology 30(12), pp. 1212-1214.

Ross, S., et al. (2016) Rapid and sustained symptom reduction following psilocybin treatment for anxiety and depression in patients with life-threatening cancer: a randomized controlled trial. Journal of Psychopharmacology, 30(12), pp. 1165- 1180.

²⁴ **Entheogens and Reduced Recidivism**

Hendricks, P., et al. (2014) Hallucinogen use predicts reduced recidivism among substance-involved offenders under community corrections supervision. Journal of Psychopharmacology 28(1), pp. 62- 66.

Walsh, Z., et al. (2016) Hallucinogen use and intimate partner violence: Prospective evidence consistent with protective effects among men with histories of problematic substance use. Journal of Psychopharmacology, pp. 1-7. DOI: 10.1177/0269881116642538.

²⁵ **Psilocybin and Treatment-Resistant Depression**

Hendricks, P., et al. (2015) Psilocybin, psychological distress, and suicidality. Journal of Psychopharmacology, 29(9), pp. 1041-1043.

Lyons, T. and Carhart-Harris, R. (2018) Increased nature relatedness and decreased authoritarian political views after psilocybin for treatment-resistant depression. Journal of Psychopharmacology, 32(7), pp. 811-819.

²⁶ **Psilocybin and Cluster Headaches**

Schindler, E. et al., (2015) Indoleamine Hallucinogens in Cluster Headache: Results of the Clusterbusters Medication Use Survey, Journal of Psychoactive Drugs, 47(5), pp. 372-381. DOI: 10.1080/02791072.2015.1107664

life for over 75 percent of subjects within the first year after the study, and also found continuing positive life-style changes after a 14-month follow-up; and

WHEREAS, Individuals seeking to improve their health and well-being through the use of Entheogenic Plants and Fungi use them in fear of arrest and prosecution; and

WHEREAS, The State of Oregon and the Cities of Denver, Oakland, Ann Arbor, Santa Cruz, Somerville, Cambridge, and Washington D.C. have adopted legislation seeking to deprioritize and decriminalize the Personal and Spiritual Use of various Entheogenic Plants and Fungi by ordering cessation of expenditures of city resources towards investigations, detentions, arrests, and prosecutions arising out of alleged violations of local, state, or federal law regarding the use of Entheogenic Plants and Fungi;

WHEREAS, The City of Philadelphia currently has many other priorities for the use of its funds, staff, and law enforcement resources; and

WHEREAS, The Mayor and City Council of the City of Philadelphia wish to declare its desire not to expend City funds or resources in any investigation, detention, arrest, or prosecution arising out of alleged violations of local, state, or federal law relating to the Personal or Spiritual Use of Entheogenic Plants and Fungi by natural persons; and

WHEREAS, The Mayor and City Council of the City of Philadelphia wish to declare its desire to support state legislation that would decriminalize the possession and use of Entheogenic Plants and Fungi as well as recognize and protect the City of Philadelphia's right to allow its residents to engage in community-based healing ceremony involving the use of Entheogenic Plants and Fungi when practiced in accordance with safe practice guidelines and principles;

NOW THEREFORE BE IT RESOLVED, The Mayor and City Council of the City of Philadelphia hereby declare that it shall be the policy of the City of Philadelphia that investigation, arrest, and prosecution of an individual arising out of or relating to such individual's Personal or Spiritual Use of Entheogenic Plants and Fungi be the lowest law enforcement priority for the City of Philadelphia;

BE IT FURTHER RESOLVED, *The Mayor and City Council of the City of Philadelphia hereby declare that the use and possession of all controlled substances should be understood first and primarily as an issue of public health by city departments, agencies, boards, commissions, and all employees of the city;*

BE IT FURTHER RESOLVED, The Mayor and City Council of the City of Philadelphia hereby declare that it shall be the policy of the City of Philadelphia that no department, agency, board, commission, officer, employee, or any other individual acting on behalf of the City, including without limitation, the Philadelphia Police Department and its personnel, shall appropriate or use any funds or resources to engage in or assist with the enforcement of local, state, or federal laws imposing any penalties for the Personal or Spiritual Use of Entheogenic Plants and Fungi; and

BE IT FURTHER RESOLVED, The Mayor and City Council of the City of Philadelphia wish to declare its desire to support State legislation that would decriminalize the possession and use of

Entheogenic Plants and Fungi as well as recognize and protect the City of Philadelphia's right to authorize its residents to engage in community-based healing ceremony involving the use of Entheogenic Plants and Fungi when practiced in accordance with safe practice guidelines and principles; and

BE IT FURTHER RESOLVED, The Mayor and City Council of the City of Philadelphia call upon city employees who lobby at the city, county, state, and/or federal level to work in support of efforts to decriminalize Entheogenic Plants and Fungi that are listed on the Federal and State Controlled Substances Act Schedule I list; and

BE IT FURTHER RESOLVED, The Mayor and City Council of the City of Philadelphia declare that the possession, use, or display of equipment, devices, or other paraphernalia, as that term is defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-102, as amended from time to time, by natural persons engaging in Personal or Spiritual Use of Entheogenic Plants and Fungi shall not constitute a violation of City law.

BE IT FURTHER RESOLVED, The Mayor and City Council of the City of Philadelphia call upon the Philadelphia County State Attorney and the Chief Judge of the Philadelphia County Circuit Court to cease prosecution of persons for violations of law arising out of or relating to a natural person's Personal or Spiritual Use of Entheogenic Plants and Fungi; and that this resolution does not authorize or enable any of the following activities: commercial sale of entheogenic plants and fungi, possessing or distributing these materials near schools, driving while under the influence of these materials; or public disturbance;

BE IT FURTHER RESOLVED, that if any provision of this Resolution is hereby 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.