

August 25, 2020

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Dr. Stephen M. Hahn  
FDA Commissioner  
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William Barr  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

SUBJECT: Descheduling and Legalization of Entheogens

To Mr. Shea, Dr. Hahn, and Mr. Barr,

I believe you three men have the power of Office to effectuate the end of a grave injustice against Americans and humanity at large. There is no valid reason, scientific or otherwise, that entheogenic plants and fungi should be classified as Schedule 1 controlled substances. Natural entheogens from plants and fungi don't even meet the criteria for that schedule. Popular sentiment is screaming that the war on drugs is itself a crime. Conflicting municipal, State, and Federal laws over plant medicine lead to confusion and unequal treatment across our nation. People are seeking Earth-based medicines for their own mental, physical, and spiritual well-being. This senseless prohibition must end. I ask that all entheogens be de-scheduled and Americans' right to these medicines be restored.

Right now the Johns Hopkins Center for Psychedelic & Consciousness Research is conducting a study of the real-world use of Psilocybin funded by Unlimited Sciences. They are asking people to voluntarily provide anecdotal data of their personal use of this controlled substance. Their website states, "If you intend to take psilocybin, and are interested in contributing to the scientific understanding of the effects of psilocybin, we would like to ask you questions before and after your experience." The individual can then click the button to "Participate" or the button for more "Information." This brings me concern because most people willingly participating in this study are likely in danger from law enforcement. Behind most uses of this medicinal fungi are potential felony charges for possession of, or manufacturing of, or distribution of a "dangerous drug." Their whole lives can be turned upside down. I know.

On August 31, 2020 I am to be sentenced in accordance with my plea agreement with the Cochise County Superior Court in Bisbee, Arizona. I am to be branded a felon for involvement with Psilocybin mushrooms. My wife is currently incarcerated, despite the pandemic, for 30 days for involvement with Psilocybin mushrooms. Our ordeal began last December when a traffic stop turned into a warrantless search of our truck. My wife was arrested and our truck was seized. After our house was searched four days later, we began the long arduous path of court dates, hearings, conferences, and discussions with lawyers. We had no idea what was to come. Stress and uncertainty throughout this whole trial have been torturous. It's been over eight months now. This was and still is frightening and traumatic every step of the way. My livelihood is at risk as I am on administrative leave and could lose my job. My candidacy for our local City Council will be revoked

when I am sentenced. My situation has been in the local paper. I do not want this to happen to anybody else, ever. Unless they live in the few places where these fungi have been decriminalized, persons who participate in this Johns Hopkins study potentially face the nightmare that my wife and I have endured.

At the time I write this, our World is literally sick. The COVID-19 pandemic is killing people and ravaging our economy. This manifestation can teach us to love and forgive one another and to heal from envy, anger and attack. Together, your Offices have authority over the scheduling of controlled substances and authority over how U.S. citizens are treated by the law. We're living in a time of great change when the sacredness of plant and fungi medicine is being rediscovered. Psilocybin mushrooms have nothing in common with manufactured dangerous drugs and yet people who grow, use and sell them can be prosecuted as if they traffic dangerous drugs for a cartel. There is no scientific rationale for why these traditional medicinal plants, ancient and current religious sacraments, are considered dangerous drugs. They have medicinal value and are not addictive, opposite qualities to the two criteria for Schedule 1. There is no lack of evidence proving this. I am an advocate who believes in restoring this liberty to my fellow citizens, but I caution anyone against breaking the law, which is what the Johns Hopkins study is effectively asking people to do, especially those people who think this study will support decriminalization actions.

One of the points I'm asking you, and the men and women who support your Offices, to consider is the significant difference in the way people are charged and prosecuted in different localities. For example, in Oakland, California Psilocybin mushrooms are honored and citizens there can use them for spiritual growth and well-being without much fear of law enforcement, but in a place like Cochise County, Arizona, where I live, these fungi are considered equivalent to heroin or crystal meth, truly dangerous drugs which are addictive. In one place a citizen is free, but in another place good, gentle citizens can face felony charges and be incarcerated. We are one nation under God, but this disparity in the way we are treated divides us sharply. Why keep this senseless prohibition going at enormous legal and legislative costs of time and money when the trajectory toward decriminalization is obvious? Thousands upon thousands of lives have been detrimentally affected by the law, not the plants; that's the real cost.

It is now common knowledge that Psilocybin mushrooms are not addictive and can help people with spiritual and mental issues for which Western medicine has nothing to offer except pharmaceutical drugs with their side effects. Because entheogenic substances from plants and fungi have been misclassified, good intelligent contributing citizens could be prosecuted and incarcerated depending on where they live in this great country of ours. When it comes to the law, there is no greater disparity than between living free and being branded a felon and sentenced to time in jail or prison. Right now, when it comes to these entheogens, this merely depends on where someone lives for how they will be treated. It is common and ancient knowledge that entheogens like Psilocybin mushrooms and Cannabis are beneficial and so men and women are seeking these traditional medicines. People across our Nation are growing and using these entheogens but are in

tremendous danger from those who are meant to serve and protect. These citizens are not criminals.

We all deserve equal rights, and the way to guarantee that is to de-schedule plant and fungi substances. I'm asking you to use the power of your Offices to coordinate the de-scheduling of plant- and fungi-based entheogens and to halt the prosecution of American citizens for involvement with entheogens such as Cannabis and Psilocybin mushrooms. In this time of great changes, our Nation can heal, not only from the current pandemic but also from other ills. We can focus on COVID-19, but the root cause of our dis-ease is not a virus. The cause of our imbalance, the dis-ease we are suffering as a Nation and a global community, is the way we treat one another. I ask that we let each other live. It's time we really look at ourselves and the way we treat each other. I pray our sisters and brothers stop causing pain to one another. I ask you to pause and look at the cultural picture within our United States.

Current laws have created millions of sanctioned and subsidized drug addicts taking pharmaceuticals. Drug laws harmfully deny people a choice to be helped by natural ancient plant and fungi medicine. Over 40,000,000 Americans are taking psychiatric drugs<sup>1</sup>. This estimate is 4 years old and I only use the statistic to illustrate that we, together, are sick. Many people, even some in your Offices, are struggling to find happiness and peace in a world plagued by violence, constant fighting and injustice. For your own knowledge, I ask you to read the City of Oakland City Council's RESOLUTION SUPPORTING ENTHEOGENIC PLANT PRACTICES AND DECLARING THAT THE INVESTIGATION AND ARREST OF INDIVIDUALS INVOLVED WITH THE ADULT USE OF ENTHEOGENIC PLANTS ON THE FEDERAL SCHEDULE 1 LIST BE AMONGST THE LOWEST PRIORITY FOR THE CITY OF OAKLAND. Below is an excerpt from their analysis:

“For millennia, cultures have respected entheogenic plants and fungi for providing healing, knowledge, creativity, and spiritual connection. Recently, scientific studies are demonstrating entheogens can be beneficial for treating conditions such as end-of-life anxiety, substance abuse, addiction, cluster-headaches, PTSD, neurodegeneration, anxiety, obsessive-compulsive disorder, and treatment-resistant depression, as well as reduce rates of intimate partner violence and recidivism. In October 2018, the U.S. Food and Drug Administration (FDA) granted Breakthrough Therapy designation for studies on psilocybin therapy for treatment-resistant depression... In addition to treating a variety of conditions, entheogens can also be valuable for personal and spiritual growth. A Johns Hopkins study on healthy normals” found over 75% of the respondents considered their psilocybin experience to be one of the top five most meaningful experiences of their lives. Yet despite numerous studies showing the potential benefits of entheogenic plants and fungi, they are Schedule 1,

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<https://www.advisory.com/daily-briefing/2016/12/14/what-psychiatric-drugs-are-americans-taking>

meaning they have no medical value, and are highly addictive, both of which have proven to be false.”

In this resolution, the Mayor and City Council declared “that it shall be the policy of the City of Oakland that the investigation and arrest of adult persons for planting, cultivating, purchasing, transporting, distributing, engaging in practices with, and/or possessing Entheogenic Plants or plant compounds on the Federal Schedule 1 list shall be amongst the lowest law enforcement priority for the City of Oakland.” Entheogenic practices can be the right of all adult Americans.

Entheogenic plant practices are part of our developing American culture. The movie *Fantastic Fungi*, available nationwide, begins with Paul Stamets, a renowned American mycologist, describing the magic of fungi and his first experience with Psilocybin mushrooms. The movie talks about these life-changing experiences and other medicinal, healing qualities of a variety of mushrooms. For the first episode of Gweneth Paltrow’s show, *The Goop Lab*, she flies members of her staff to Jamaica where they experience psychedelic psychotherapy and share their experiences with the audience during and after consuming Psilocybin mushrooms. In the *New York Times* bestselling book, *How to Change Your Mind: What the New Science of Psychedelics Teaches Us About Consciousness, Dying, Addiction, Depression, and Transcendence*, Michael Pollen shares his research and experience with entheogens like Psilocybin. These are but three examples with nation-wide audiences and impact. There are hundreds, maybe thousands of YouTube videos about growing and using Psilocybin mushrooms. Even Twitter has people tweeting daily about these mushrooms. Entheogenic practices should not be just for the rich or for those who live in particular cities of our great United States of America. Good, peace-loving people, sons and daughters, are looking for meaning and spiritual well-being, but may instead have their lives torn by the enforcement of unjust laws.

“Silicon Valley Is Micro-Dosing ‘Magic Mushrooms’ To Boost Their Careers” is the title of a January 17, 2020 Forbes magazine article. There are more articles like this everyday. Across the Country, thousands, maybe millions, of fathers, mothers, sons and daughters are using mushrooms to get off antidepressants, or microdosing to bring joy and creativity into their lives or simply using them for spiritual well-being. People like former Illinois State Trooper Nolan Morgan who was arrested in July on possession and manufacture of controlled substance charges involving mushrooms. Investigators discovered him to be in possession of approximately 259 grams of Psilocybin mushrooms packaged for distribution and now his career as a Trooper is over. This former Trooper’s experience embodies the conflict between popular sentiment and the law. I sympathize with his situation. I’ve shared my story with many people because I don’t want anyone to go through what I’ve gone through and I don’t want any more non-violent people only seeking peace and well-being to face felony charges for plants and fungi. Many States and localities are adopting laws that protect the rights of citizens to use entheogens like Psilocybin mushrooms and Cannabis freely. Our culture and our laws are changing. The outcome of our elections and the tidal wave of decriminalization actions will

demonstrate this, but it does not have to be a fight. You can initiate a rapid and peaceful resolution to this issue. Maybe no one has simply asked as I am now.

Municipalities and States are enacting their own laws that conflict with Federal laws, but that's not the only source of confusion. The well-known Dr. Oz spoke to the FDA and the DEA about Cannabis. He said, "You know what, I called the DEA—they said, 'we don't want this to be illegal. Your government ought to change that. But we got to enforce the law.' I call the FDA that regulates the drugs, they say, 'we think it ought to be used, but until the DEA says it's allowed, we can't let people prescribe it everywhere.'"<sup>2</sup> The effort to decriminalize nature will eventually prevail. The magnitude of the effort is enormous. There is a tidal wave of support for ending the war on drugs. Enough momentum that voters in Washington D.C., where Cannabis is already legal recreationally, will have the opportunity to decriminalize Psilocybin mushrooms and other entheogens in November. From the proposal by Melissa Lavasani: "Citizens of the District of Columbia seeking to improve their health and well-being through the use of entheogenic plants and fungi currently use them in fear of arrest and prosecution."

We had laws that prohibited alcohol. That didn't last long, and this prohibition of plant medicine will end. The war on drugs is ending, but it will be years until the wake of its destruction dissipates. To quote a June 8 letter from Congress members Earl Blumenauer of Oregon and Barbara Lee of California to the U.S. Attorney General William Barr, "The Nixon Administration ... used drug enforcement as a mechanism to criminalize and suppress the civil rights movement."<sup>3</sup> Essentially, outlawing entheogens is a result of political manipulation of the law and outright discrimination. I pray you see this and act to remedy it. To quote a June 5 letter from Congress Members Jarrod Nadler of New York and Karen Bass of California to the U.S. Attorney General Barr and U.S. DEA Acting Administrator Timothy J. Shea, "This Administration's counterproductive focus on non-violent drug offenses is a plain reminder that the DEA is out of touch with the Nation's shift from the drug war model to policies of substance abuse treatment, rescheduling drugs, legalizing Cannabis, and reducing harsh drug sentences."<sup>3</sup> One day, entheogens like magic mushrooms and Cannabis will be no more a crime than any other vegetable in the garden. Vegetables, herbs, and mushrooms are meant to nourish our bodies, minds and spirits.

Outlawing entheogenic plants and fungi is a senseless crime against humanity. People should be allowed to heal and live a good life in tune with God's creation, as God's creation, living in a good way. The holy sacraments of plants and fungi are viewed by many as Creator's gifts for restoring balance to one's own life, and therefore to the world composed of our lives together as one. We are

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<sup>2</sup>

<https://www.marijuanamoment.net/dr-oz-claims-dea-and-fda-blame-each-other-for-keeping-marijuana-illegal/>

<sup>3</sup>

<https://www.marijuanamoment.net/attorney-general-pressed-on-rescheduling-drugs-and-legalizing-marijuana-by-house-judiciary-chair/>

spiritual beings living together in this physical world. We are one! Our government has denied its citizens their right to plant medicine and look at what it has produced, a country that is literally sick, detrimentally divided to the core, and with an incarceration rate that reveals our cruelty and lack of understanding about drugs. There are many religious sacraments used around the world and in the United States. We all have in common ancient cultural roots of plant medicine including Cannabis, Peyote, Psilocybin mushrooms, Ayahuasca, Kambo, Ibogaine, and San Pedro Cactus. I hope everyone who responds to the Johns Hopkins study lives in one of the places where decriminalization offers protections.

Nature is full of miracles and this includes entheogenic plants and fungi. Adults who use entheogens such as psilocybin are looking for peace. You have the power to help stop peaceful citizens from having their lives torn apart for seeking mental, physical and spiritual well-being. I ask you to do so. It is within the power of your Offices to ease some of the pain of our Nation and our world. I pray that my words reach men and women of consciousness who act for the greater good of humanity and who can see that entheogenic plant practices are not a crime. I ask that all citizens are given the rights and protections granted by great cities like Denver, Colorado, Oakland and Santa Cruz, California, and soon Washington D.C. Instead of policing each other, we can be healing each other. My hope in writing this letter is that nobody will ever have to go through what my wife and I have gone through for entheogenic practices. Plant medicine is a gift and our right to use it was tyrannously outlawed by a failed and criminal Administration and this prohibition has gone on too long. This is not a political issue, it is a human rights issue. Please, use your power to end the persecution and prosecution of entheogenic practices.

Sincerely,

Mathew Haupt

Courtesy Copy:

U.S. Representative Jerrold Nadler;

U.S. Representative Ann Kirkpatrick;

U.S. Representative Earl Blumenauer;

U.S. Representative Karen Bass;

U.S. Representative Barbara Lee;

Roland Griffiths, PhD, Center Director, Center for Psychedelic and Consciousness Research;

Dr. Oz;

Melissa Lavasani, Chairwoman, Campaign to Decriminalize Nature DC,

Bert Robinson, Managing Editor, Oakland Tribune;

Russell Hausfeld, Journalist, Psymposia