



EXECUTIVE ORDER

Issued pursuant to City Charter, Section 7.1

I, Jacob Frey, Mayor of the City of Minneapolis, subject to the executive and administrative authority granted to me pursuant to Minneapolis City Charter, do hereby issue the following Executive Order:

EXECUTIVE ORDER No. 2023-01 Deprioritizing Enforcement of Entheogenic Plants

WHEREAS, Entheogenic Plants, defined herein as the full spectrum of plants, fungi, and natural materials and/or their extracted compounds, limited to those containing the following types of compounds: indole amines, tryptamines, and phenethylamines; including, but not limited to, psilocybin mushrooms, ayahuasca tea, mescaline, and iboga, that can benefit psychological and physical wellness and well-being; and

WHEREAS, chronic depression, severe anxiety, problematic substance abuse, post-traumatic stress, end-of-life anxiety, grief, intergenerational trauma, and other physical and mental conditions are present in our City, exacerbated by the impact of COVID-19, and the use of Entheogenic Plants have been shown by scientific and clinical studies to be beneficial to the health and well-being of individuals and communities in addressing these conditions; and

WHEREAS, practices with Entheogens have long existed and have been revered by Indigenous cultures for thousands of years, and continue to be used in ceremony by Indigenous Peoples around the world to this day; and

WHEREAS, the Entheogenic practices of certain groups are already explicitly protected in the U.S. under the American Indian Religious Freedom Act of 1978 and the Religious Freedom Restoration Act of 1993 -- including the use of ayahuasca by two churches, a Santo Daime congregation and the Uniao do Vegetal; and

WHEREAS, the use of peyote and their byproducts will not be covered under this order at the request of the National Council of Native American Churches, in order to respect and protect access to these sacred plant medicines of the Native America Church under the American Indian Religious Freedom Act Amendments of 1994, and the National Congress of American Indians Resolution of 2022 (ECWS-22-009); and

WHEREAS, several Entheogenic Plants have completed clinical trials sanctioned by the U.S. Food and Drug Administration with positive results, including Phase 1 and Phase 2 clinical trials demonstrating the safety and efficacy of psilocybin-assisted therapy; and

WHEREAS, individuals seeking to improve their health and well-being through the use of Entheogenic Plants fear arrest and prosecution due to current legal prohibitions; and

WHEREAS, the City of Minneapolis currently has many other higher priorities for the use of its funds, staff, and law enforcement resources, specifically the significant increase in opioid substance use disorder and its secondary impacts on the Minneapolis community; and

WHEREAS, Entheogenic Plants containing ibogaine have been shown to alleviate treatment-resistant cases of opiate and methamphetamine addiction at higher rates than other treatments for addiction; and

WHEREAS, Entheogenic Plants or combinations of plants such as ayahuasca contain dimethyltryptamine that can be beneficial in treating addiction, depression, and PTSD; and

WHEREAS, Entheogenic Plants such as cacti that contain phenethylamine compounds (such as mescaline) can be beneficial in the treatment of drug and alcohol addiction; and

WHEREAS, psilocybin, which is naturally occurring in Entheogenic mushrooms, can alleviate end-of-life anxiety for hospice and terminal cancer patients, can reduce prison recidivism, and can effectively treat depression, cluster headaches, and trauma; and

WHEREAS, Entheogen use is a constituent element of some healing and personal growth practices, including but not limited to some 12-step and group therapy programs, and including both facilitated and non-facilitated group practices and those that are self-directed at the individual level; and

WHEREAS, in the 2023 Legislative session, the State of Minnesota created a Psychedelic Medicine Task Force to advise the legislature on the legal, medical, and policy issues associated with the legalization of psychedelic medicine in the state; and

WHEREAS, several jurisdictions in the United States, including Oakland, California; San Francisco, California; Denver, Colorado; Ann Arbor, Michigan; Detroit, Michigan; Seattle, Washington; Washington D.C.; and the state of Oregon, have deprioritized the use of government resources in the enforcement and prosecution of activities related to the possession and use of some or all Entheogenic Plants;

NOW, THEREFORE, I, Jacob Frey, Mayor of the City of Minneapolis, do hereby order the following:

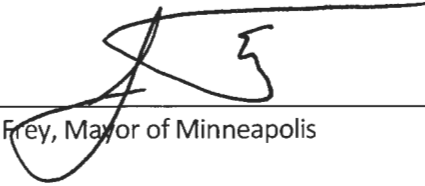
1. That the investigation and arrest of persons for planting, cultivating, purchasing, transporting, distributing, engaging in practices with, or possessing Entheogenic Plants or plant compounds which are on the federal Schedule 1 list shall be the lowest law enforcement priority for the City of Minneapolis; and unless required by law, City resources shall not knowingly be used in any investigation, detention, or arrest arising out of alleged violations of state and federal law for engaging in the above-referenced activities.
2. That this Executive Order does not prohibit the exercise of prosecutorial discretion or legalize any unlawful activities related to Entheogenic Plants, nor does it authorize or enable, or apply to the enforcement or prosecution of, any of the following activities: commercial sales or manufacturing of these plants and fungi, possessing or distributing these materials in schools, driving, operating or being in physical control of a motor vehicle or possessing a weapon while under the influence of these materials, or the commission of any public disturbance.

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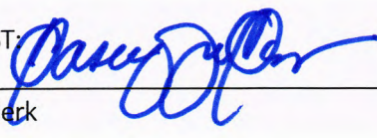
This Executive Order shall become effective upon filing with the Office of City Clerk, as noted below, and shall continue in force until further notice or until it is amended, superseded, or rescinded.

JUL 21 2023





Jacob Frey, Mayor of Minneapolis

ATTEST: 

City Clerk

POSTED: JUL 21 2023
