

Oakland becomes 2nd US city to legalize magic mushrooms

June 5 2019, by Samantha Maldonado



In this Friday, May 24, 2019 photo a vendor bags psilocybin mushrooms at a cannabis marketplace in Los Angeles. Oakland City Council will vote Tuesday, June 4, 2019, to decriminalize the possession and use of entheogenic, or psychoactive, plants and fungi. (AP Photo/Richard Vogel)

Oakland on Tuesday became the second U.S. city to decriminalize magic mushrooms after a string of speakers testified that psychedelics helped them overcome depression, drug addiction and post-traumatic stress disorder.

The City Council voted unanimously to decriminalize the adult use and possession of magic mushrooms and other entheogenic, or psychoactive, plants and fungi. Denver voters in May approved a similar measure for people 21 and older.

Speakers overwhelmingly supported the move, describing substances such as ayahuasca and peyote as traditional plant-based medicines.

Use of the plants "saved my life," said one man who described himself as a former heroin addict. "I don't how to describe it other than miraculous."

Some offered mystical descriptions of the hallucinogens as providing spiritual healing.

The vote makes the investigation and arrest of adults who grow, possess, use or distribute entheogenic plants one of the lowest priorities for police. No city funds could be used to enforce laws criminalizing the substances, and the Alameda County District Attorney would stop prosecuting people who have been apprehended for use or possession.

Councilmember Noel Gallo, who introduced the resolution, had said decriminalizing such plants would enable Oakland police to focus on serious crime.

Amendments offered by Councilmember Loren Taylor added caveats that the substances "are not for everyone," recommending that people with PTSD or major depression seek professional help before using

them and that people "don't go solo" but seek expert guidance and have a trusted friend present during the use.

The ordinance also directs the city administrator to come back within a year to provide the council with an assessment of the law's community impact.

"Entheogenic plants and fungi are tremendous for helping to enable healing, particularly for folks who have experienced trauma in their lives," Carlos Plazola, chair of the advocacy group Decriminalize Nature Oakland, said before the council meeting. "These plants are being recommended pretty extensively undercover, underground, by doctors and therapists."

The Oakland Police Department did not respond to emailed messages from the Associated Press seeking comment before the meeting. Alameda County Deputy District Attorney Teresa Drenick declined to comment.

Magic mushrooms would remain illegal under both federal and state laws. Entheogenic substances are considered Schedule 1 drugs under the federal Controlled Substances Act, which categorizes drugs that have potential for abuse and no medical value.

Skeptics had raised concerns about unsafe use, especially in schools.

To address such concerns, Gallo said earlier, lawmakers would have to establish rules and regulations about the use of such substances, including what exactly can be used, how to use them and what associated risks are.

Entheogenic plants have long been used in religious and cultural contexts. Gallo remembers his grandmother treating his family members

with plants, including entheogenic ones, for a variety of ailments.

"Growing up in the Mexican community, this was our cure," Gallo said. Hemp oils, mushrooms and yerba buenas—an aromatic plant known for its medicinal properties—"that was our Walgreens. We didn't have a Walgreens. We didn't have a way to pay for any drugs. These are plants we have known for thousands of years in our community and that we continue to use."

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