

AGENDA

CITY COUNCIL WORK SESSION

May 10, 2021

4:00 PM, City Council Chambers
130 S Galena Street, Aspen



WEBEX

www.webex.com

Enter Meeting Number 182 901 8241

Password provided 81611

Click "Join Meeting"

OR

Join by phone

Call: 1-408-418-9388

Meeting number (access code): 182 901 8241#

I. WORK SESSION

I.A. Therapeutic Use of Psychedelics

PERRIN ELISHA, PH.D., P.C.

308 S Galena St.
Aspen, CO 81611
Phone 970.989.4828
Fax (303) 484-5165
PSY003897

06 May, 2021

To Aspen City Council:

My name is Perrin Elisha and I am a practicing psychologist and psychoanalyst. I have been practicing for over 20 years and currently maintain a private practice in Aspen, CO with a specialty in relationship issues and psychosomatics.

After speaking with councilmember Skippy Mesirow, I am writing to express my support for the development of psychedelic-assisted therapies in our community.

I have followed the research of these medicines as a companion for psychotherapy over the last several decades, and I have assisted patients in finding safe, effective, professional psychedelic-assisted augmentation to psychotherapy and psychoanalysis. My personal experience matches that of the ongoing research: that psychedelics, when treated as a medicine and utilized in a professional setting, can be personally transformative and ease enormous amounts of pain and suffering. These treatments appear to be greatly effective in the treatment of chronic depression, addictions, eating disorders, PTSD, and more general childhood trauma. The professional community has come to understand how these medicines work by allowing the brain to perceive new patterns, new belief systems, and new responses to the environment. As such, they are often utilized to increase the effectiveness and efficiency of psychotherapy.

I am also a member of MAPS (the Multidisciplinary Association for Psychedelic Studies). In the fall of 2021 I will engage in the MAPS (100 hour) training program to become a psychedelic assisted psychotherapy practitioner. The presence of this program, while it cannot guarantee the federal approval process for these medicines, is directly indicative of the research results and progress of potential legalization. When I have been professionally trained to assist in these therapies, I would welcome the chance to partner with local government processes aiming to make these services legal, safe, and effective for our community. Our community already benefits from the presence of a ketamine therapy clinic, and I imagine that this treatment strategy could be broadened to include other medicines as they become decriminalized and legal. Again, these medicines are effective when utilized by trained practitioners in a professional setting, with appropriate psychotherapy screening, preparation, integration and follow up. These are not stand-alone treatments. I support any local process which supports the professional and ethical use of these treatments.

Please feel free to contact me for further questions or comments.

Sincerely,

Perrin Elisha, Ph.D.

FEDERAL AND STATE LAWS

FEDERAL LAW

Psilocybin is classified as a Schedule I drug by the U.S. [Drug Enforcement Administration](#) (DEA). According to the DEA, Schedule I drugs are not approved for medical use and have a high potential for abuse and dependence.

Pursuant to 21 U.S.C.A. section 844, it is unlawful to possess Schedule 1 drugs. Possession of small amounts is punishable by a fine of up to \$1000 and 1 year imprisonment

COLORADO LAW

Unlawful to possess a controlled substance pursuant to Colorado Rev. Stat. (CRS) section 18-18-404, or sell or distribute a controlled substance pursuant to C.R.S. 18-18-405.

The dispensing or possession of a schedule I drug by a licensed researcher authorized and registered under federal law to conduct research with that substance is an exception to criminal liability.

Colorado Right to Try Law:

C.R.S. § 25-45-101 et. seq. Adopted in 2014

Patients who have terminal illness have the right to use available investigational drugs, and biological products that may preserve their life

Licensing board may not revoke a health care provider's license for recommending to an eligible patient concerning access to or treatment with an investigational drug – if recommendation is consistent with health care standards

** Colorado state law already includes some exceptions to criminal liability for federally licensed researchers and for use of experimental and biological products not yet approved by the FDA in certain circumstances.

Denver Initiative 301 – Psilocybin Mushroom Initiative

Ordinance was designed to decriminalize the use and possession of mushrooms that contain psilocybin. The Petition specifically stated the purpose of the Ordinance was to:

1. Deprioritize, to the greatest extent possible, imposition of criminal penalties on persons 21 and older for the personal use and possession of psilocybin mushrooms; and
2. Prohibit the City and County of Denver from spending resources on imposing criminal penalties on persons 21 and older for the personal use and personal possession of psilocybin mushrooms

Important Distinctions:

- Remains illegal to distribute psilocybin to others
- Denver continues to enforce against persons under 21 years of age
- Does not exclude federal or state prosecution for possession of psilocybin

Ballot language:

Shall the voters of the City and County of Denver adopt an ordinance to the Denver Revised Municipal Code that would make the personal use and personal possession of psilocybin mushrooms by persons twenty-one (21) years of age and older the city's lowest law-enforcement priority, prohibit the city from spending resources to impose criminal penalties for the personal use and personal possession of psilocybin mushrooms by persons twenty-one (21) years of age and older, requiring a sober sitter or guide on hand to steward a person through their experience, and establish the psilocybin mushroom policy review panel to assess and report on the effects of the ordinance?⁴

DENVER PSILOCYBIN POLICY REVIEW PANEL

- Denver Created a Psilocybin Mushroom Policy Review Panel as part of Initiative 301. They started meeting in January of 2020. As of March 21, 2021, they plan to recommend a series of progressive mushroom policies to the Denver City Council, including the ability to share mushrooms, and the establishment of a working group to explore a psilocybin research site for first responders and military veterans struggling with PTSD. Although these proposals have not yet gone before Denver City Council, it demonstrates that groups are lobbying for therapeutic use of psilocybin.
- Panel has found that most people utilize psilocybin for health and personal growth, not for recreational use.

OTHER CITIES HAVE ENACTED SIMILAR LEGISLATION
Oakland, CA

STATE EFFORTS TO CREATE PROGRAMS TO PERMIT HEALTH CARE PROVIDERS TO ADMINISTER PSICLOCYBIN

OREGON 2020 Legislation created Measure 109.

- Purpose was to develop a long-term strategic plan for ensuring that psilocybin services will become and remain a safe, accessible, and affordable therapeutic option for all persons 21 years of age and older.
- Permits persons licensed, and controlled and regulated by the state to legally manufacture psilocybin products and provide psilocybin services to persons 21 years of age and older
- Establishes a comprehensive regulatory framework concerning psilocybin products and services in Oregon
- Prevents the distribution of psilocybin to those under 21, and for unauthorized purposes such as recreational use
- 2 year program development period – Health Department will regulate

COUNCIL OPTIONS

1. Decriminalization Ordinance

- * Municipal Code does not include offense for possession of illegal substances
- * discourage efforts by law enforcement to enforce crimes involving possession of psilocybin
- * City will not use resources to enforce psilocybin laws

2. Declare support or intent to lobby for legislation to establish regulatory programs

3. Take no formal position or simply reaffirm support for continued research