

LATE TESTIMONY

Testimony of Michael Foley
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Strongly opposed to HB 1334 Relating to Controlled Substances.

Committee on Public Safety and Committee on Labor and Public Employment

February 18, 2009 at 2:00 p.m.

Aloha members of the Committee:

I am strongly opposed to HB 1334 which adds salvia divinorum and salvinorin A to Schedule V of the Hawaii controlled substances list. Salvia is a plant. It can be grown in anyone's back yard. Making it illegal creates a profitable underground market that will worsen the problem and cost tax payers big money. Enacting age controls and educational programs to curb youth use of salvia in a manner similar to tobacco is a much more responsible approach.

From my personal observations, salvia is the opposite of an addictive drug. Most of the people who have tried it have made the decision that it is not good for recreational purposes and have lost interest in it. Making salvia illegal will create an air of taboo that teenagers love. Let's not cause a bigger problem than we already have.

With Aloha,

Michael Foley

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LATE TESTIMONY



COMMITTEE ON PUBLIC SAFETY

Rep. Faye Hanohano, Chair

Rep. Henry Aquino, Vice Chair

Wednesday, February 18, 2009

Room 309

2:00 P.M.

COMMENTS on HB 1334 - Salvia

PBSTestimony@capitol.hawaii.gov

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative working to improve conditions of confinement for our incarcerated individuals, enhance our quality of justice, and promote public safety. We come today to speak for the 6,000+ individuals whose voices have been silenced by incarceration, always mindful that more than 2,000 of those individuals are serving their sentences abroad, thousands of miles from their homes and loved ones.

I am also Vice President of the Drug Policy Forum of Hawai'i. Salvia has never come up for a discussion at our board meetings until this bill was introduced. At that time I had to do some research to find out what it was and how it is used.

HB 1334 adds salvia divinorum and salvinorin A to Schedule V of the Hawaii controlled substances list.

Community Alliance on Prisons offers our comments on salvia divinorum or salvinorin A after doing some cursory research on this plant. The bill admits that "...there have been no documented cases of fatal or near fatal incidents involving this hallucinogenic drug..."

What is Salvia Divinorum or Salvinorin A?

Salvia divinorum has a long and continuing tradition of religious use as an entheogen by indigenous Mazatec shamans, who use it to facilitate visionary states of consciousness during spiritual healing sessions. The plant is found in isolated, shaded, and moist plots in Oaxaca, Mexico. It grows to well over a meter in height. It has hollow square stems, large green leaves, and occasional white and purple flowers.

Is There a Problem in Hawai'i?

Medical experts as well as accident and emergency rooms have not been reporting cases that suggest particular salvia-related health concerns, and police have not been reporting it as a significant issue with regard to public order offences. Despite this, Salvia divinorum has attracted heightened negative attention lately from the media and some lawmakers.

The National Survey on Drug Use and Health, an annual US based survey sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA), for 2006 estimated that about 1.8 million persons aged 12 or older had used Salvia divinorum in their lifetime, of which approximately 750,000 had done so in that year.

How is Salvia Used and What Are the Effects of Salvia?

Mazatec shamans crush the leaves to extract leaf juices from about 20 (about 50g) to 80 (about 200g) or more fresh leaves. They usually mix these juices with water to create an infusion or 'tea' which they drink to induce visions in ritual healing ceremonies. According to research, this plant can be smoked, chewed, or using a tincture.

If salvia is **smoked** the main effects are experienced quickly. The most **intense 'peak'** is reached within a minute or so and lasts for about **1-5 minutes**, followed by a gradual tapering back. At **5-10 minutes**, less **intense** yet still noticeable effects typically persist, but giving way to a returning sense of the everyday and familiar until back to recognizable baseline after about 15 to 20 minutes. **Chewing** the leaf makes the effects come on more slowly, over a period of 10 to 20 minutes, the experience then **lasting from another 30 minutes up to one and a half hours**. When taken as a **tincture** the effects and duration are similar to other methods of oral ingestion, though **may be significantly more intense**, depending on the potency of the extract.

A survey of salvia users found that 38% described the effects as unique. 23% said the effects were like yoga, meditation or trance.

Media reporters rarely venture to take salvia themselves, but one firsthand journalistic account has been published in the UK science magazine New Scientist:

" the salvia took me on a consciousness-expanding journey unlike any other I have ever experienced. My body felt disconnected from 'me' and objects and people appeared cartoonish, surreal and marvelous. Then, as suddenly as it had began, it was over. The visions vanished and I was back in my bedroom. I spoke to my 'sitter' – the friend who was watching over me, as recommended on the packaging – but my mouth was awkward and clumsy. When I attempted to stand my coordination was off. Within a couple of minutes, however, I was fine and clear-headed, though dripping with sweat. The whole experience had lasted less than 5 minutes."

A Word of Caution:

Clinical pharmacologist John Mendelsohn has also said "There may be some derivatives that could be made that would actually be active against cancer and HIV [...] At the present time, there are a lot of therapeutic targets that have many people excited."

An ABC news story which reported on this went on to suggest "the excitement could vanish overnight if the federal government criminalizes the sale or possession of salvia, as the Drug Enforcement Agency is considering doing right now." A proposed Schedule I classification would mean (among other things) that there's no "currently accepted medical use" as far as the United States government is concerned. Scientists worry that such legislation would restrict further work. **Mendelsohn said scheduling salvia could scare away a great deal of research and development into salvia's therapeutic promise.**

Let's not tie the hands of science, as has been done with cannabis, by making it impossible for researchers to find medicinal properties in the plant. Mahalo for this opportunity testify.