

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SJUD 12

SB

38

Alaska State Legislature

SENATOR
GENE THERRIAULT

Mailing Address:
1292 Sadler Way, Suite 308
Fairbanks, Alaska 99701
(907) 488-0857
Fax: (907) 488-4271



Senate

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884
SENATE DISTRICT F

Memorandum of Request

To: Senator Hollis French / Chair of Senate Judiciary

From: Senator Therriault

A handwritten signature in black ink, appearing to read "Gene Therriault".

Date: March 19, 2006

Re: Senate Bill 38

.....

Senate Bill 38 adds a very dangerous hallucinogenic substance to Schedule II of our illegal substances law.

I respectfully request that SB 38 be scheduled for hearing in your Committee.

Thank you for your time in this consideration.

Alaska State Legislature

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Sponsor Statement

Senate Bill 38

Salvia Divinorum (pronounced Div-i-nor-um) is very powerful a hallucinogenic substance primarily grown in the mountainous regions of Mexico. It has a history of use as a vision inducing substance by the Mazatec Indians of the region. Because it is so easy to misuse and can produce long-lasting psychological effects, it is banned in several countries and now several states.

The leaves of this perennial herb, once processed can be eaten, drunk as a tea, or inhaled. Salvia is presently available to persons in Alaska who choose to order it over the Internet. Although purchasers of this substance are asked to certify they are over the age of 18, we know such restrictions are loosely applied. Sellers and their web sites promise mind-altering experiences, but experts warn that depression and schizophrenia are very real risks with this drug. (www.intheknowzone.com)

As with all items that enter the pop drug culture, Salvia Divinorum is enjoying a rise in use due to the lack of restrictions. We have an opportunity to get ahead of this powerful substance and reduce the risk to our young people by following the lead of other states and countries in declaring Salvia a dangerous substance and adding it to our Schedule II list of illegal drugs. Such action would place it in the same category as mescaline and Peyote.

I urge your support for this important action.

<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20060226/NEWS/602260356/1006>

Legal high new worry for parents

LSD-like herb blamed in Delaware teen's suicide

BY MIKE CHALMERS
THE NEWS JOURNAL
02/26/2006

In the daily search for reasons behind their 17-year-old son's suicide, Dennis and Kathy Chidester keep coming back to the same answer: salvia divinorum.

The herb, a cousin of the flowering sages enjoyed by backyard gardeners, contains the world's most potent natural hallucinogen, as strong as LSD. The drug is legal in most states, including Delaware, and easily available through hundreds of Internet sites, including eBay.

That aura of legitimacy lulled Brett Chidester, a straight-A senior at Salesianum School, into thinking smoking salvia leaves was safe, even while convincing himself that he had gained incredible insights into the universe, his parents said.

"Salvia allows us to give up our senses and wander in the interdimensional time and space," Brett wrote in an essay his parents found after his death. "Also, and this is probably hard for most to accept, our existence in general is pointless. Final point: Us earthly humans are nothing."

Brett acted on that belief Jan. 23.

Dennis Chidester had been trying to call Brett all day with no luck. He came home at 5 p.m., opened the garage door and saw a tent pitched inside -- an odd sight that he didn't process right away.

"I just ran upstairs calling his name," Chidester remembered. "Now my heart's pounding. He's not in his room. I go downstairs, I go into the garage and I open up that tent.

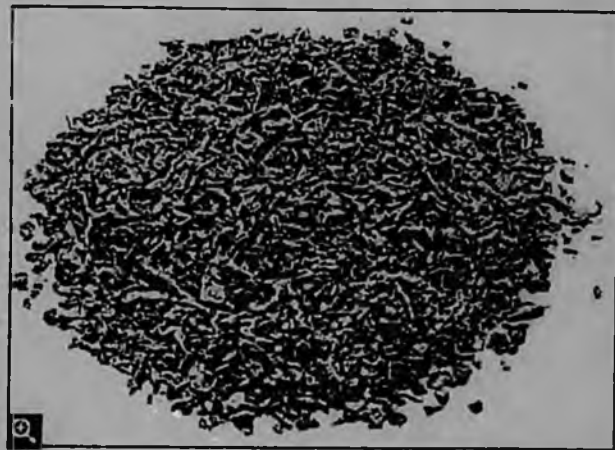
"That's the one thing I didn't want to do," he said, his voice cracking. "I found him in there, dead. He had taken a charcoal grill and ... carbon monoxide poisoning."

Brett's essay, suicide note and actions before his death still



COURTESY OF THE CHIDESTER FAMILY

Bret Chidester's parents are certain that smoking salvia divinorum led him to take his own life.



Salvia divinorum is a perennial herb. When chewed or smoked, it produces LSD-type hallucinations.

About the time Brett Chidester started smoking salvia, his parents say, he began falling into moods of anger or melancholy.

leave his parents with more questions than answers.

"We just won't have any answers, and we have to learn to accept that," Kathy Chidester said. "But my gut feeling is it was the salvia. It's the only thing that can explain it."

Abuse concerns DEA

Mazatec Indians have used *salvia divinorum* to divine spiritual truths for hundreds or thousands of years, experts said. Outsiders discovered it in the 1960s, but it remained a relatively obscure drug until popularized on the Internet, beginning in the 1990s. It's now sold as live plants that can be grown indoors, dried leaves or liquid extracts, from tiny bags costing a few dollars to wholesale shipments for hundreds of dollars.

"You type 'salvia divinorum' in a search engine and you get 10,000 hits, most of which are head shops on the Internet," said Thomas E. Prisinzano, a medical researcher at the University of Iowa. "That's not good. People are going to abuse it."

Experts and users say when the leaves are chewed or smoked, they produce powerful visions that make users believe they're in an alternate place and time. Despite its growing popularity online, law enforcement and health officials, as well as several teenagers and their parents, said salvia is not a common drug in Delaware.

Since 2003, the federal Drug Enforcement Agency has considered *salvia divinorum* a "drug of concern" because of its wide availability, potential for abuse and unknown long-term effects. Louisiana, Missouri and several countries have outlawed it, but congressional attempts to control it in the United States have failed, in part because of a reluctance to infringe on the religious freedoms of American Indians.

"It's dangerous," DEA spokeswoman Rogene Waite said. "Just because it's not a controlled substance, people shouldn't think it's OK to use it."

Dennis and Kathy Chidester, who divorced when Brett was 3, are uncomfortable talking publicly about their son's salvia use and suicide. But, they said, they are more uncomfortable remaining silent and letting other parents learn through tragedy.

"If other states can [regulate] it, why do we have to wait for a nationwide law?" Dennis Chidester said. "States should act on their own."

Delaware should consider outlawing salvia, two state legislators said. Sen. Karen E. Peterson, chairwoman of the Senate Combat Drug Abuse Committee, and Rep. Pamela S. Maier, chairwoman of the House Health and Human Development Committee, had not heard of the herb but said they would look at the laws in Louisiana and Missouri.



COURTESY OF THE CHIDESTER FAMILY

SALVIA Q&A

Is it legal?

It is not a controlled substance, so it is legal to own, use and distribute *salvia divinorum* in Delaware and most states. Louisiana, Missouri and several countries have outlawed salvia.

What are the effects?

The DEA considers *salvia divinorum* a "drug of concern" because its full effects are not known. Researchers said they do not know the long-term effects of using salvia.

Is it addictive?

Researchers and users said salvia is not addictive.

Who uses it?

Mazatec Indians have chewed *salvia divinorum* for ritual divination and healing for hundreds of years. Westerners discovered it in the 1960s, and its popularity has grown among teenagers and young adults since the 1990s because of availability over the Internet.

Does it have other uses?

Medical researchers are interested in the herb's potential to treat pain without addiction and to better understand Alzheimer's, Parkinson's and other diseases that alter a patient's perception of reality.

How is it sold?

Web sites and Internet vendors sell *salvia divinorum* as live plants, dried leaves, crushed leaves and a liquid extract.

Legislators in those states banned salvia last year over concerns about teenagers' abuse of it and other hallucinogenic plants.

"It was being marketed to high school kids," said Scott Lipke, a Missouri state representative. "It's not a widespread problem, but we were trying to be out in front on it."

Delaware police said they know little about salvia. "I don't think we'd even know what it is," said Sgt. William Wells, Wilmington police spokesman.

Health officials said it hasn't hit their radar screen, either.

"If it's not an FDA-regulated drug, we couldn't track it any more than we could track someone using ginkgo biloba," said Heidi Truschel-Light, spokeswoman for the Delaware Division of Public Health.

Local merchants who sell glass pipes and other smoking supplies said they don't sell salvia, even though customers ask for it and wholesalers have urged them carry it.

"Kids come in here all the time and ask for it," said Randy Neil, a cashier at Frolic in Newark. "But we don't mess with it. As far as I know, the only place you can get it is the Internet. Probably the reason it's legal now is most people don't know about it."

'Getting deep'

Dennis and Kathy Chidester had never heard of salvia until Brett's cousin told them last summer that she was worried about his salvia use.

About the same time, a friend showed Kathy Chidester Brett's site on MySpace.com, an Internet service where teenagers can chat and share pictures and music. Brett's site contained a video of him and a friend smoking salvia. She confronted him.

"He kept saying, 'Mom, it's legal. It's just an herb. The Indians used to use it to divine knowledge of the universe,'" she remembered. He told them he stopped using salvia, and they believed him.

Still, when Brett was out with friends, his parents would stay up until he came home.

"I thought, if he's doing this stuff or he's drinking, I'm going to know," Kathy Chidester said. "And when he came home, he would be normal, always normal."

Experts said salvia's effects last from a few minutes to an hour or two, with no hangover or other symptoms. Daniel Siebert, a California botanist who sells the herb online and promotes its "responsible" use, described the experience as similar to a vivid

dream. "It's like your mind is on autopilot," Siebert said. "Your brain is generating images that have some kind of narrative line to them. It puts your mind in a very introspective place. It's a way of getting deep inside yourself."

Siebert said crowds and loud music make a salvia-induced trip unpleasant, so it's unlikely people would use it as a "party drug" more than once or twice. He supports some regulations on salvia, such as age restrictions and penalties for driving under the influence of salvia.

"People take their experiences way too literally and read too many things into it," Siebert said. "If you take it literally, you really believe you've traveled to other dimensions and met other beings that told you things. Minors are particularly prone to not understanding that."

That doesn't stop some Internet merchants from billing salvia as a legal, albeit more expensive, alternative to illicit recreational drugs.

The site where Brett Chidester got at least one batch sells it in packages dubbed "mind bender," "mood mix" and "freshman selection." It sells a "party pack" of three different strengths of extract, plus four ounces of leaves, for \$207.90.

Promising medical use

Salvia does have legitimate research value.

Prisinzano, who earned a bachelor's degree in chemistry from the University of Delaware in 1995, is studying whether salvia's main ingredient, salvinorin A, could be used to create a nonaddictive painkiller. Also, he said, understanding the way salvia creates hallucinations could help scientists better understand Alzheimer's disease and mental illnesses that alter patients' perceptions of reality.

"It's actually become a hot area of research," said Bryan Roth, a leading salvia researcher at Case Western Reserve University in Cleveland. In 2002, he discovered how salvinorin A travels through the brain.

One salvia user described watching a mountain lake turn into a desert, Roth said. Another said she found herself in a room with an alternate future behind each door. She picked one door and saw the death of her child, he said.

"Depending on the dose, it can cause a mild sense of distortion," Roth said. "In the extreme, people are basically shot out into another reality, another place and time."

A changed son

Dennis and Kathy Chidester think that's what happened to Brett.

About the time Brett began using salvia, he became more melancholy and had trouble sleeping, his parents said. He was sometimes angry for no reason. Because Brett had never displayed typical teenager moodiness, they thought he was just catching up to his peers.

"He definitely changed," Kathy Chidester said. "It wasn't a drastic change. I just figured well, this is the other shoe dropping. This is what teenagers are like and we haven't experienced it."

The week before Brett's suicide, Kathy Chidester called him from Austria, where she was leading an annual ski trip for the Wilmington Ski Club. Brett said he was fine and probably was going to make the Salesianum honor roll again.

The next Saturday night, Jan. 21, Brett went to his girlfriend's homecoming dance. In the few months they had been dating, the relationship had become serious, his parents said. Brett noted in his daily planner that he was going to buy her flowers and take her to dinner for Valentine's Day.

Brett spent much of the weekend writing college application essays, hoping to become an architect. Brett was off work Monday, Jan. 23, from his job in the dining room of Cokesbury Village, an assisted living facility.

He was still sleeping when his father left the house that morning.

"Mom and Dad, don't worry about me," Brett wrote in his suicide note. "Please don't cry. I love you guys so much. I always have. Take a vacation. You deserve it. Please do not be sad. I want you to carry on your lives. Remember me and be happy when you think of me, not sad. Tell yourselves I'm in a better place, because I am. I'm sorry I didn't get to say goodbye before this, but I love you."

Contact Mike Chalmers at 324-2790 or mchalmers@delawareonline.com.

SALVIA DIVINORUM

(Hallucinogenic) sage, Salvia divinorum, salvia, the matrix

Salvia is derived from the American plant *Salvia divinorum*, a member of the mint family. It is used by the Mazatecs and others in Meso America. It is marketed in the UK under many guises. In head and sex shops it is often sold as herbal ecstasy, using names such as Eclipse. It is also sold as a dried natural high, intended for smoking (in variable amounts) or as a herbal remedy under its botanical name, or as the matrix or 'hallucinogenic sage'.

"Salvinorin A" the active component of Salvia Divinorum, is most effective when vaporized and inhaled, but the most common way to take it is by swallowing or smoking. Its effects are more hallucinatory than other legal highs - though high doses of the raw plant are usually needed to achieve these effects.

A dose of 200-500 mcg produces profound hallucinations that last from 30 minutes to an hour or two, while doses over 2mg are effective for much longer. According to the literature, doses greater than 500 mcg can cause the user to become completely unaware of their surroundings and enter a state of uncontrollable delerium during which they must be watched carefully. [1]

[1] *Salvia Divinorum and the Unique Diterpene Hallucinogen Salvinorin (Divinorin) A.*, Valdes, L.J., From: Journal of Psychoactive Drugs, vol.26 (3), 1994. p.277-283.

Updated October 2003

Powerful but legal, hallucinogenic under scrutiny

USA Today



A little-known hallucinogenic leaf that is legal in most of the USA is the target of new calls for a ban after the suicide of a teenager who smoked it.

Salvia, a relative of flowering sages enjoyed by many gardeners, is the most powerful natural hallucinogen known — almost as strong as LSD, experts say. Known as "diviner's sage," salvia has been used for centuries by the Mazatec Indians in Mexico. In the USA it is sold in leaf and liquid form by websites and head shops and is available to anyone at any age.

"Kids fall into a false sense of security because it's legal," says state Sen. Karen Peterson, a Delaware Democrat. "We control LSD, and we should control this." Peterson has filed a bill to make Delaware the third state to designate *Salvia divinorum* a banned substance like marijuana and heroin. Louisiana and Missouri have already taken such action.

Her action came in response to the suicide of Brett Chidester, 17, of Wilmington, Del., whose family blames the drug.

Brett was a straight-A student who ranked top in his state in Spanish and was making plans for college and to buy his girlfriend roses for Valentine's Day, his family says. On Jan. 23 he put a charcoal grill inside a tent in his father's garage, lit the grill and crawled inside the tent.

A suicide note described revelations that echoed descriptions of salvia experiences posted by users to various salvia-related websites. "How can I go on living after I learned the secrets of life," he wrote. "It took me 17 years, but I finally figured it out. I can't tell you that here because that kind of information can cause chaos."

His mother, Kathleen Chidester, says her son bought salvia on a website. His father, Dennis, says police took salvia from his room. Kathleen Chidester says she believes Brett was depressed and used salvia because it was legal. His suicide note left no doubt in her mind that salvia had something to do with his death. Despite salvia's powerful nature, the Drug Enforcement Administration has not recommended that it be banned as a dangerous drug. The DEA has been collecting information for years on the leaf, says Rogene Waite, a spokeswoman for DEA. The process involves measuring its availability, potential for abuse and medical uses.

November 13, 2005

Salvia: It's intense, it's dangerous, it's inexpensive ... and it's legal

By JOHN DARLING
for the Mail Tribune

Few police, teachers or counselors have even heard of it, but the drug salvia — a powerful psychedelic herb from Mexico — is legal in the U.S. and easily purchased over the counter in Medford or on eBay.



□ Salvia is a powerful, legal herb from Mexico that produces vivid, often terrifying hallucinations. The drug is sold in Magic Man in various strengths.

Mail Tribune / Bob Pennell

Also known as Diviner's Sage or Sally-D, salvia divinorum is extremely intense, say those who have tried it. They say it is as powerful or more so than LSD and produces vivid, often terrifying hallucinations and out-of-body experiences lasting five to 10 minutes. Effects vary widely; a few users report little or no effect.

The herb is sold at Magic Man in the Bear Creek Shopping Center in various strengths for \$11.95 to \$44.95. In Ashland, Zen Den doesn't sell it and Puff's used to but stopped.

Theresa Jermain of Medford called police when a 17-year-old high school student, for whom she is guardian, bought salvia at Magic Man and, after smoking it, told her he "got real high" and it was "way too strong."

After checking out the shop, police reported back to Jermain that the drug was not illegal and there was nothing they could do, she said.

The student, "Chris," who asked not to be identified by his full name, said he smoked it with 15 fellow South Medford High School students and that only three of them had a "good trip" — the rest being "very bad." Students, he added, are little aware of the drug and it's not being much used there.

He described his experience as an "out-of-body experience in a totally different world" followed by a bad "body high," in which he felt sick and awkward and couldn't move. With a cell phone, he videoed another student on salvia hallucinating and trying to crawl out the back window of a car, he said.

Sheriff's Lt. Dewey Patten, commander of the Jackson County Narcotics Enforcement Team, said he wasn't aware of the drug. "I don't know what we'd do if we found someone whacked on it, because it's not illegal," he said.

Jan Janssen, community outreach officer with Ashland Police, said she'd never encountered it, but after consulting the drug Web site erowid.org, said it's surprising that it's legal, considering that most users report unfavorable experiences. Ashland officers trained as drug recognition experts do know the drug and can spot its effects, she said.

Patten consulted a comprehensive drug reference, "Uppers, Downers and All-Arounders," co-written by Ashlander William Cohen, who also lectures and makes films about psychoactive drugs.

Salvia, wrote Cohen, is similar to PCP and originates among the Mazatec Indians of Oaxaca, Mexico, who use it to induce dreamlike hallucinations, delirium and out-of-body experiences, so as to seek out the causes of illness.

The effects, or "trip," last up to 10 minutes, tapering off over half an hour, with the nature of the trip dependent on the person's mind-set and surroundings.

"Cliff," a 19-year-old from Ashland who asked not to be identified, called salvia an "anti-drug drug" because his trip was so intense that it turned him off alcohol and drugs.

"In my first trip, my legs turned to a waterfall of tears," said Cliff. "The second time, I thought, seriously, that I had died and that my soul was being sucked out of me. It was the most intense thing I've ever done. Coming off it, I felt needles were coming out of my body. It definitely had teaching value because I was abusing (alcohol and drugs) and it gave me a lot of insight about what I was doing."

Magic Man owner John Hopf said salvia is sold as an incense or meditative aid like sage — and that customers learn about it on the Internet and come in to buy it. Although Hopf said he knows of no psychedelic properties for the plant, his store had a stack of printouts from a government Web site warning that salvia is a powerful hallucinogen.

"Pete," 27, another Medford resident who used salvia and asked not to be identified, said he had bought salvia from Magic Man seven or eight times. He described it as "a meditative thing that helps you feel a reality outside the ordinary reality and become one with yourself, as a unity."

He added, "It's very personal, not smoke-a-bowl-and-relax."

"Max," an 18-year-old senior at North Medford High School who bought salvia last week at Magic Man and declined to be identified, said friends suggested he try it. "I'm curious. I'll probably feel good for a while and hallucinate. They said it was worth the money for the feeling you get."

The federal Drug Enforcement Administration has the plant under review based on its potential abuse, availability and effects on users, said DEA public affairs officer Lauren Alder in Washington, D.C.

"The DEA lists it as 'of concern,' but just because it's not listed as a controlled substance doesn't mean it's healthy or safe," said Alder. "The medical profession stresses the danger of it."

The DEA Web page on salvia — www.usdoj.gov/dea/pubs/states/newsrel/newark_intel_bulletin_salvia.html — classifies it as a psychoactive terpenoid, a family that includes marijuana. It produces "profound hallucinations," with effects similar to mescaline, the DEA bulletin said.

The DEA welcomes comments at its Drug and Chemical Evaluation Section: 202-307-8570 (fax) or 202-307-7183 (phone).

Three years ago, staff Oregonian columnist Margie Boule branded salvia "the most powerful natural hallucinogen known on earth."

"Salvia divinorum is a wild ride," wrote Boule. "This is not a drug that simply makes people play Beatles' records backward. It induces powerful hallucinations that sometimes are terrifying."

Salvia is illegal in Australia, Italy, Denmark, Norway and South Korea. California Rep. Joe Baca in

2002 introduced a bill to ban it in the U.S., but, says erowid.org, it is chemically different from schedule I and II drugs, so it is not covered by the federal law used to ban drugs.

SALVIA

salvia divinorum

- **Other names:** Diviner's Sage, Sally-D
- **Cost:** Sold in various strengths for from \$11.95 to \$44.95 a bag
- **Use:** Similar to PCP, intense hallucinations lasting for 5-10 minutes when the drug is smoked
- **Legal use:** An incense or meditative aid, akin to sage
- **Federal position:** The U.S. Drug Enforcement Administration has the plant under review. The government classifies it as a psychoactive terpenoid, with effects similar to mescaline
- **Why is it still legal?** Chemically differences from schedule I and II drugs mean it is not covered by the federal law used to ban drug
- **Where is it banned?** Australia, Italy, Denmark, Norway and South Korea
- **Salvia web site:** erowid.org
- **DEA Information:** www.usdoj.gov/dea/pubs/states/newsrel/newark_intel_bulletin_salvia.html
- **Comments:** The DEA welcomes comments at its Drug and Chemical Evaluation Section: 202-307-8570 (fax) or 202-307-7183 (phone).

John Darling is a free-lance writer living in Ashland. E-mail him at jdarling@jeffnet.org.

You can find this story online at:

<http://www.mailtribune.com/archive/2005/1113/local/stories/11local.htm>

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The Legal Hallucinogen Targeted to Teens

By Laura Dawn Lewis

Salvia Divinorum (Salvia) or *Salvinorin A*, street names *Salvia*, *Divine Sage* and *Magic Mint* is a legal, powerful natural hallucinogen marketed to and easily accessed by teens on the web and at times, health and spirituality stores. Health care and law enforcement officials described Salvia as the organic hallucinogen as potent as LSD. Users dispute the comparing of Salvia to LSD and insist that it is a mild, harmless perception and spirituality enhancer.

Generally it takes science a few years to catch up with new herbal remedies that create potentially harmful reactions. This may be why even the DEA cannot respond to many questions regarding *Salvia Divinorum*. Though the DEA may not be able to junior high, high school and college students can.

Salvia Divinorum is currently legal in every country but Australia. The Australian government banned Salvia effective as of June 2002. Salvia is a member of the sage family and a common garden plant. To date, the Divinorum species of Salvia seems to be the only member of this family with perception-altering or intoxicating capabilities. Divinorum seeds are rare.

Couples Company
.com



NEW Salvia Divinorum Special

IN STOCK!!!!

Get the best of both worlds with 1/2 oz. of Prime Salvia Leaves & 1 gm Salvia standardized 5x Extract For a limited time \$36

Salvia Divinorum Leaves -Prime Oaxacan Harvest Leaves

The leaves are harvested fresh in the high mountains of Oaxacan by the native people of that region, then dried, cured & blessed. Oaxacan salvia leaves are known to be 50% more potent than Hawaiian or other grown salvia leaves. These are the highest potency and quality leaves you can get anywhere.

\$20 for 1/2 oz. (14 g) of Prime Salvia Divinorum Leaves
\$35 for 1 oz. (28 g) of Prime Salvia Divinorum Leaves

Salvia Divinorum is not a new drug or plant. Classified in the sage/mint family the Mazatec Indians of Northern Mountains in Oaxaca, Mexico have been using the leafy plant in healing and in religious ceremonies for centuries. The drug itself provides a trip for the user that can range from mild to extreme. Cases have been documented of users falling asleep while driving and walking through glass walls while under its influence.

Referring to the above cases, a 23-year-old Salvia defender in Pittsburgh, PA commented, "You state things like, it could cause a user to fall asleep while driving. What idiot would use this while trying to drive a car?"

Users argue that the effect lasts only about five minutes. One responded to this article by stating, "When salvia is smoked the "trip" only lasts about 3 minutes." The few medical sources we were able to find with some

Actual Sales Copy from a Salvia Dealers Web site

background on Salvia placed intoxication closer to thirty to forty minutes. Several aficionados also insist that the effects "Aren't much more "intense" than smoking tobacco".

User sites dispute our reader's assertion that Salvia highs are no more intense than smoking tobacco. Search and you will see notations referring the 5th and 6th levels of intoxication, called immaterial and amnesiac. These notations dispute what many of the users are stating and do warn of the potential hazards and need for supervision. These are stressed for the highest level, Amnesiac.

"User remains conscious but loses accurate perception of actual surroundings. At this point the person should not be left alone and must have a sober person in the room. The user is in an altered reality, will wander and encounter brief periods of unconsciousness and blackouts."

The DEA's limited information on Salvia describes its use as follows: *"Salvia is being smoked to induce hallucinations, the diversity of which are described by its users to be similar to those induced by ketamine, mescaline, or psilocybin. It is being widely touted on internet sites aimed at young adults and adolescents eager to experiment with these types of substances."*

Access

Obtaining this drug is as simple as entering a store or visiting eBay. Users adamantly defend its virtues and their right to partake in its pleasures. The following came in to Couples Company from a reader. We found this letter interesting because unlike the others it wasn't angry but it does illustrate the allure. The writer is also mature and in his mid-thirties, showing the appeal to this drug across generations.

Dear Couples Company.

Thank you for bringing this subject to parents' attention. I wonder, why would the parents be the last to know about this plant? In answer to my own question, I say the parents are too comfortable in their lives and they don't want to know. Answering your question - I do know what salvia is. My first experience took place last December. Even though I had been reading what other people posted about their encounters with salvia for a few months before I got enough courage to try it myself (unfortunately, I am not a teenager any more). It was so unexpected, so moving, so out-of-this-world that you wouldn't believe. That experience that lasted no more than 5 minutes of Earth time changed my outlook on life in general and my life in particular. I set up a site to collect any salvia related posts that were ever published online - SalviaDivinorumCorps.org, started a discussion group "SalviaD Alliance" on Yahoo and recently formed "Salvia Buyers Club" to provide good quality salvia at wholesale prices to salvia community. My advice to the parents - take it into your hands, "say once to salvia" and be the judges what is good for your children.

Sincerely,
Slava M 37,
Potomac Falls, VA

Salvia is not just an intercity drug issue; like crack or ecstasy it is in small towns and the big cities. This legal consciousness-altering drug is being used in small towns and major cities around the world. The Internet makes it accessible by overnight delivery to anyone with a credit card, checking account or money order. About half of the 30 web sites we visited selling this drug were based in Germany. The rest are US based.

"Some drugs alter reality in such a way that you come face to face with thoughts that which you have been afraid to confront. There is a reason these substances have been (some still are) researched for psychiatric application," states an anonymous reader of Couples Company.

"This is an escape drug? You are totally wrong, unless you consider 3 minutes of calm an escape. No, alcohol is an escape drug," comments another reader.

Though users argue the drug does not offer an escape from reality, their web sites, comments and culture contradict this through the act of assigning varying descriptions to levels of intoxication or the exaltation of the trips; the creation of a special language for the drug and its altered states of reality. The documentation of experiences under the influence of the drug as exceptional, extraordinary and life-changing. These actions dispute and disprove claims of non-escapism or of a drug with little impact on the user.

Targeting Teens

The target market for Salvia is teens and twenty-something's and it taps into the issues, insecurities and confusion this age group struggles with and identifies with. Salvia ads promise to deliver spiritual enlightenment and bliss to the user. Testimonials from other users further convince and persuade potential users of the benefits of using the product. Many Salvia sales web sites includes step-by-step instructions for smoking the product, while enthusiastically showcasing the results through affirming statements, user trip reports and other personal accounts of the experiences. The following is the introduction from one of the largest legal Salvia dealers on the web:

"Salvia Divinorum has been steadily growing in popularity over the last few years due to the incredible visionary mystical experiences people are having. Many People are discovering Salvia Divinorum as a powerful tool for soul searching, exploration of consciousness and pure bliss."

General FAQ's

A typical ounce usually contains 100 - 200
One ounce = 4 to 12
doses

To achieve moderately strong effects from 1/2 gram of average potency leaf, or 1/4 gram of stronger material.

Salvinorin A is the fortified leaf

From this copy it is easy to see why many people refer to Salvia as the legal LSD. Travel back in time to the 1960's and this same statement, nearly verbatim could be heard emanating from the lips of those enjoying or promoting LSD. Many *Salvia Trip Reports* are also eerily similar to the trip descriptions recorded by those on LSD.

"There were beautiful closed eye visuals: a dome composed of ribs of light forming arched groining like that of a Gothic cathedral. The colors were the iridescent rainbow in a peacock's tail. This "reality" opened into another one: a narrow red rock canyon with a fast moving river plunging over rocks.

I then felt that I was no longer a specific individual, but was an awareness that opened into every individual's consciousness everywhere, forever. I had the feeling that there was a lesson to be learned."

Salvia Trip Report

Also like LSD, Salvia users have created their own language, logic and culture based around the experiences and consumption of the drug.

Salvia & Health

Salvia is endorsed and marketed by dealers as healthy with spiritual significance. Spirituality is empowered through the action of blessing the dried and cured leaves by an Indian Shaman. Then the leaves are consumed by smoking or chewing.

The health claims are easily disproved by the fact that the leaves are smoked. To date no scientific evidence exists to prove a medicinal purpose for this drug. It also must be noted that scientists have been unable to determine how it works. It does not appear to alter the nervous system and scientists speculate its effects can range from hormonal to affecting a gland yet to be studied. It is possible at a later date a medical purpose may be discovered. Claiming health benefits at this time has no foundation and is simply marketing.

Salvia is also marketed in high-potency drops referred to as Emerald Essence. The drops enter blood stream through the cells in the mouth where it is held for a period of time. Users insist the drops have no effect if ingested or added to food. Currently no scientific research or evidence exists to either prove or disprove this statement.

Salvia & Spirituality

The faith claim for Salvia is stronger than the health claims. As one reader points out, *"For countless millennia, Shamanic traditions have used plant medicines and plant teachers for ceremonial and spiritual use."*

Ancient Indian religions may use Salvia as part of their worship, but the majority of people using the drug today do not subscribe to Shamanic traditions and are not using it

for religious purposes. Cocaine, peyote, opium and other drugs have also been used in religious observances in the past. To claim and use the drug as a religious necessity, users would need to convert and practice the Mazatec Indian's faith and then only use it for ceremonial purposes.

What Salvia Does:

Salvia Divinorum provides the user with an escape, or as users prefer, an enhancement of his or her reality. The drug creates a sense of well being within the user when the experience is positive. Negative experiences can be living nightmares and cause blackouts.

The 3 Degrees of Use



- **General inebriation, (a few hits):** Similar to mushrooms with brighter colors and increased sexual desire.
- **Increased Potency:** Users fall into Trances
- **Further Increased Potency:** User remains conscious but loses accurate perception of actual surroundings. At this point the person should not be left alone and must have a sober person in the room. The user is in an altered reality, will wander and encounter brief periods of unconsciousness and blackouts.

Salvia users rate trips on a 6-tiered scale based upon the name of the drug:

- **S = SUBTLE** effects
- **A = ALTERED** perception
- **L = LIGHT** visionary state
- **V = VIVID** visionary state
- **I = IMMATERIAL** existence
- **A = AMNESIC** effects

As a parent, what can you do and how do you know if your child is using this?

Going through the Salvia sites one thing stood out, vocabulary. The users speak about Trip Reports. These are retellings of their drug-induced experiences. The words "visionary, spiritual enhancement, soul, altered-consciousness, sage." There is an official Salvia dictionary for proper trip descriptions and these includes:

Salvia User's Vocabulary, *Partial List*

- accepting
- afterglow
- besaged
- dissociadelic
- dream people
- endoreality
- fantasia
- floating
- goofy
- healing
- magic casements
- mind tunnels
- sound of silence
- strange attractor
- teacher
- tranSalviaimensional
- visions
- weird
- wiSalviaom

For More Information on Salvia:

- [DEA](#)
- [Sage Group FAQ](#)
- [Trip Reports](#)
- [Group for Cognitive
Liberty and Ethics](#)

Many of these words are not common in the English language or have been created specifically for this drug's culture. The use of such vocabulary may be your only clue as a parent that your child is involved in the Salvia culture. Symptoms of use are vague appear like those experienced under LSD, mushrooms and PCP.

The reason Salvia is not illegal is that scientist can't figure out how it works. This also means there is no documentation on the long-term ramifications of this drug, good or bad. The only professional consensus on Salvia at this time is that it is a hallucinogen. Unlike other hallucinogens, the active ingredient in Salvia, *Salvinorin A* does not attach itself to the neurotransmitters, a requirement for illegal classification. Unless the definitions for controlled substances are changed or process of intoxication is discovered, the drug can and will remain legal.

A group called the [Group for Cognitive Liberty and Ethics](#) is currently working a grassroots effort to keep Salvia Divinorum legal and easily accessible to the masses. Their stance is that drug use enhances creativity and brainpower and should be encouraged rather than prohibited.

This article was inspired by the October 20, 2002 [Portland Oregonian](#) Article by staff reporter Margie Boulé entitled: [Meet the most potent natural hallucinogen—And it's legal!](#)

**Drug Enforcement Administration
Newark Division**

**Michael Pasterchick, Jr.
Special Agent in Charge**



**Salvia Divinorum, aka Maria Pastora, Salvia
(Salvinorin A, Divinorin A)**

Introduction

Salvia Divinorum is a perennial herb in the mint family native to certain areas of the Sierra Mazateca region of Oaxaca, Mexico. It is one of 500 species of *Salvia* in the New World is similar to the sage plant. The plant grows in large groupings to well over 3 feet in height. Its large green leaves, hollow square stems and flowers are its characteristic features. *S. Divinorum* is one of several vision-inducing plants employed by the Mazatec Indians

There has been a recent interest among young adults and adolescents to re-discover ethnobotanical plants that can induce changes in perception, hallucinations, or other psychologically-induced changes. Since *S. Divinorum*, or any of its active ingredients are not specifically listed in the Controlled Substances Act, some on-line botanical companies and drug promotional sites have advertised *Salvia* as a legal alternative to other plant hallucinogens like mescaline. The plant material is smoked for the induction of "mystical" or hallucinogenic experiences.

Chemistry/Pharmacology

"Salvinorin A" the active component of *S. Divinorum*, is most effective when vaporized and inhaled. Chemically, Salvinorin A is a neoclerodane diterpene, a psychotropic terpenoid. The grouping of psychoactive plants containing terpenoid essential oils includes *Salvia Divinorum*, Wormwood (Absinth), and *Cannabis Sativa* (tetrahydrocannabinols, THC). Divinorin A was chemically characterized by Valdes et al., in 1984, however Ortega et al., (1982) had previously characterized the same substance and called it Salvinorin A and thus, out of convention, the psychoactive substance should be called Salvinorin A. A dose of 200 to 500 micrograms produces profound hallucinations when smoked. Its' effects in the open field test in mice and locomotor activity tests in rats are similar to mescaline. Salvinorin A's action in the brain are not

well elucidated. However, recent tissue testing (in vitro assays) have suggested that Salvinorin A may act at the kappa opiate receptor site, but functional assays are lacking to determine the exact mechanism of action of this drug substance.

Illicit Uses

Salvia is being smoked to induce hallucinations, the diversity of which are described by its users to be similar to those induced by ketamine, mescaline, or psilocybin. It is being widely touted on internet sites aimed at young adults and adolescents eager to experiment with these types of substances.

User Population

The user populations, thus far, seems limited to younger adults and adolescents influenced by the promotion of the drug on internet sites

Illicit distributed

Salvia Divinorum is grown domestically and imported from Mexico, and Central and South America.

Control status

Salvia Divinorum, Salvinorin A, and Divinorin A are not listed in the Controlled Substances Act.

Comments and additional information are welcomed by the Drug and Chemical Evaluation Section, FAX 202-307-8570 or telephone 202-307-7183.

September, 2002

Salvia divinorum

From Wikipedia, the free encyclopedia

Salvia divinorum (also known as **Diviner's sage**, *María Pastora* or simply **Salvia**, although the genus name is shared among many plants) is a psychoactive plant, a member of the sage genus and the Lamiaceae (mint) family. The plant is grown by the Mazatec indigenous people of the Oaxaca mountains of southern Mexico in isolated, moist, and secret plots. It has been used as an entheogen by their shamans for centuries for healing during spirit journeys. It is thought to be a cultigen. No definitively wild populations have been found. The Latin name *Salvia divinorum* literally translates to "sage of the diviners".

The primary psychoactive constituent is trans-neoclerodane diterpenoid known as *salvinorin A*. Salvia also contains the closely related compounds salvinorins B-G, divinatorins A-E, salvinicins A and B, and hardwickiic acid. Salvinorin A is the most potent naturally-occurring hallucinogen known. It is active at doses as low as 100 µg [1]

(http://www.erowid.org/plants/salvia/salvia_faq.shtml). Recent research has shown that salvinorin A is a remarkably potent and selective kappa opioid receptor agonist. It has been demonstrated that the effects of salvinorin A are blocked by kappa opioid receptor antagonists. This indicates that the effects of *S. divinorum* can be largely, if not entirely, attributed to kappa agonism. Salvinorin A is unique in that it is the only naturally occurring substance known to induce a visionary state *via* this mechanism of action.



A healthy Salvia Divinorum.

Scientific classification

Kingdom:	Plantae
Division:	Magnoliophyta
Class:	Magnoliopsida
Order:	Lamiales
Family:	Lamiaceae
Genus:	<i>Salvia</i>
Species:	<i>S. divinorum</i>

Binomial name

Salvia divinorum

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- 1 History
- 2 Usage and effects
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 - 2.1.1 Traditional Methods
 - 2.1.2 Nontraditional Methods
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History

In 1939 Salvia was first recorded in print by Jean Basset Johnston. He was studying the psilocybin mushroom use

of the Mazatecs in Mexico when he encountered this entheogen. R. Gordon Wasson documented its use a decade later and reported its effects through his own testimonials. Historical data at this point is largely unresearched, but it is likely to date back into the early history of Central America. It was not until the 1990s that it became more widely known through the experiments of Daniel Siebert.

As is often the case with cultigens, it is likely that the history of this plant dates back a number of generations. Cultigens require a long historical relationship with human cultures, and salvia is no exception. Perhaps the decline of its widespread use began with the Spanish Conquest, or this phenomenon may have been already underway, either due to religious or political reasons.

Gordon Wasson theorized that this plant was the mythological *pipilzintzintli*, the "Noble Prince" of the Aztec codices. This theory would explain why a cultigen of such extraordinary power was not otherwise known to the Aztecs, but this theory is not without dispute. The Aztecs were extremely knowledgeable in plant identification, and in their records report that *pipilzintzintli* has both male and female varieties. *Salvia divinorum* is lacking sexes, meaning there are no male or female flowers, as its flowers contain both sexes. The skeptics of this theory report that the Aztecs would have known the difference between male flowers and female flowers. Wasson, still, may have been correct in his hypothesis, in that there are a number of historical accounts of gendered properties being assigned to plants in a metaphorical manner, not in a botanically anatomical one.

Usage and effects

Methods of ingestion

Traditional Methods

Mazatec shamans use two methods of ingestion. Often, they simply eat the fresh leaves by chewing and swallowing them. Sometimes, they crush the leaves to extract the leaf juices, which they then drink (usually mixed with water). Reportedly, dosages vary from as few as 6 leaves to as many as 120, when using these methods.

Nontraditional Methods

Dry leaves can be smoked in a pipe but most users prefer the use of a bong to cool the smoke. The temperature required to release salvinorin-A from the plant material is quite high (about 240°C). A regular flame will work, but the direct application of something more intense, such as the flame produced from a butane torch lighter, is often preferred.

Many people find that smoking the unprocessed dried salvia leaf produces only light or unnoticeable effects, perhaps due to the large volume of plant material that must be smoked to produce psychoactive effects. However, responses vary widely. A concentrated preparation of salvia leaf called salvia extract, with relative strength suggested by terms such as 5x, 10x, and 20x, may be smoked in place of natural strength leaves; this reduces the total amount of smoke inhaled for a given dosage of salvinorin overall, and facilitates more powerful experiences. One cone of 5X strength extract should be enough to produce the desired effect.

Sublingually ingested tinctures constitute another form of prepared salvia. A tincture is made from salvia leaf that has had the psychoactive components extracted, often using high-proof ethanol. Once produced, the liquid can either be used as a tincture or infused into salvia leaf, creating smokable salvia extract.

The traditional Mazatec method can also be employed; however, Salvinorin-A is generally considered to be inactive when ingested, because the chemical is inefficiently absorbed in the gastrointestinal tract unless

thoroughly emulsified; therefore, emphasis is often placed on holding the leaves (and also the saliva secreted during chewing) in the mouth as long as possible, to facilitate absorption through the oral mucosa. This consumes much more of the drug than smoking, but also produces a longer-lasting experience.

Subjective effects

Most users find that the effects of salvinorin are not conducive to socializing. People given Salvia often feel as though a trick has been played on them; in fact, while under the influence, most people tend to find any external stimuli distracting. Most people under the influence of salvia will remain in place although some users may move around. This can be especially dangerous as the user is in an altered state of consciousness and is therefore at a greater risk of unintended bodily injury. It is advisable to have a sober trip sitter present.

The effects of salvia are found by many to be highly spiritual entheogenic experience. Others find salvia useful for meditation. Consciousness is retained until the highest doses, but body control, awareness of externalities, and individual personality can disappear with even modest amounts. Even experienced drug users may feel totally out of control and confused.

At lower doses the user may experience spontaneous laughter, mild closed-eye visuals, stuttering or strobing visual effects, changes in depth perception, and a heightened sense of color and texture.

Moderate doses appear trance-like. Time distortion and open-eye visuals become increasingly apparent. Fractal patterns and geometric shapes may be noticeable with eyes open, and can be very confusing. Many people experience sensations of falling, similar to what is occasionally felt at the onset of sleep. The user may experience fully formed visions of other places, people, and events, especially with eyes closed.

At high doses, the effects become more powerful and may additionally include out-of-body experiences, perceptions of gravitational distortion, vertigo, sensations of wind or physical pressure, hearing voices, flanging of sound, significant open and closed-eye visuals, experiencing alternate realities, contact with beings or entities, dissolution of one's ego, and dissociation. It is also typical that, while under the effects of salvia, a person will not realize they have used the drug. The salvia experience is quite different from that of most other hallucinogenic drugs and may be overwhelming, even with the correct set and setting. Most users recommend darkness and silence as the best environment, however, minimal, ambient or relaxing music can be helpful.

According to experience reports at Erowid (http://www.erowid.org/experiences/subs/exp_Salvia_divinorum.shtml) and elsewhere, Salvia seems to produce visual hallucinations which have a somewhat higher level of consistency than other substances. Reports of contact with an entity supposedly associated with the plant, ("the Shepherdess") again with fairly consistent characteristics, are also common.

Many salvia users, during high-dose out-of-body experiences, may suddenly "merge" with objects. With the significant time distortion typical of salvia, users may live a lifetime as another person, or as an inanimate object, such as a wall or a piece of furniture. The experiences can be extremely pleasant, or very frightening and confusing.

People often fail to achieve the effects the first time they try the plant, possibly due to problems in the administration of the drug. With repeated use, anecdotal evidence suggests that decreased dosage may be possible for the same level experience. Due to the lack of scientific studies on Salvia, if true it is unknown whether this is due to learning proper techniques of administration or a sensitization factor, sometimes colloquially referred to as "reverse-tolerance".

Some people who try Salvia find it difficult or impossible to achieve the desired effects. This may be due to an

insufficient flame. However, sometimes the results are unpredictable. For example, a user may smoke a large amount and feel no effect, but the next day may smoke a small amount and experience a strong trip.

Duration and after-effects

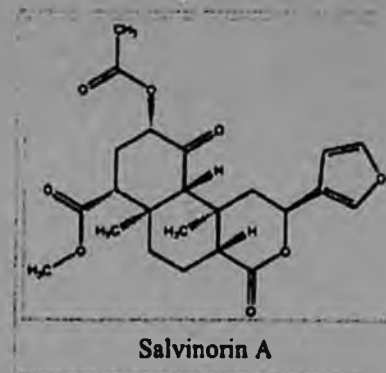
If inhaled, the effects do not last very long, with the peak reached within one minute and then a slow descent back to one's self after about five minutes and back to baseline within 15 to 20 minutes. Chewing the leaf (in a 'quid') makes the effects come on more slowly and be experienced for longer. The first 5 minutes after smoking extract are very intense, and should be experienced lying or sitting down, eyes closed.

Most users report no hangover or negative after-effects. Some users report a pleasing "afterglow," or pleasant sensation and state of mind persisting after the experience has ended. Others, however, claim that *Salvia* has a depressing effect. *Salvia* has not been found to be either physically or psychologically addictive. There are no proven health risks associated with the psychoactive chemicals, although the long-term effects on the human body are not well documented. However, smoking any substance is generally regarded as unhealthy by medical professionals.

Chemistry

The primary active constituent is *Salvinorin A*, sum formula $C_{23}H_{28}O_8$. Unlike most other known psychoactive compounds, *Salvinorin A* is not an amine—meaning it contains no nitrogen functional group. The *Salvinorin* group of compounds (including *Salvinorin A*, *Salvinorin B* and *Salvinorin C*) are called neoclerodane diterpenoids.

Extraction and purification of *Salvinorin A* has been documented but should only be attempted by qualified researchers with experience in chemistry and the proper laboratory equipment. Measurement of safe dosages is difficult and requires a sophisticated analytical balance, due to the extreme quantitative potency of *Salvinorin A*.



Legal status, Controversy

Until the late 1980s, not many people knew about *salvia*. The heavy commercialization of the Internet in the mid-1990s and the realization that the plant was not legally controlled engendered numerous Internet mail-order businesses which sold dried *salvia* leaves and other preparations, sometimes for exorbitant prices.

The general public became increasingly aware of *salvia* in 2002. As of June 1, 2002, Australia became the first country to ban *salvia* and *salvinorin* [2] (http://www.cognitiveliberty.org/news/salvia_australia.htm), [3] (http://www.thecouriermail.news.com.au/common/story_page/0,5936,5717251%5E3102,00.html). In late 2002, Rep. Joe Baca (D-California) introduced a bill in the United States House of Representatives to schedule *salvia* as a controlled substance, and the DEA has indicated on its website that it is aware of *salvia* and is evaluating the plant for possible scheduling.

Press accounts of efforts to ban *salvia* often quote law enforcement and government officials who exhibit an inaccurate knowledge of the drug's effects, and frequently characterize the "high" as "chewable marijuana", or as identical to LSD and PCP (two drugs with quite dissimilar effects to *each other*, as well as to *salvia*).

Under Louisiana Act № 159, 40 plants, including *Salvia divinorum*, have become illegal if sold for human consumption. It is still legal to own the plants. More laws regarding *S. divinorum* can be found at Erowid's *Salvia*

Law vault (http://www.crowid.org/plants/salvia/salvia_law.shtml).

Salvia divinorum was outlawed in Missouri in fall 2005. New York is considering a bill that would place heavy civil penalties on the sale of the plant. Illinois is also considering regulating *Salvia divinorum*.

In January 2006, the Swedish government declared their intention on making salvinorin A and all plants containing the chemical illegal. This law has been in effect since 1 March 2006.

In Delaware on January 23 2006, teen Bret Chidester (<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20060226/NEWS/602260356/-1/NEWS01>) committed suicide. His suicide note referred to the drug. In an essay found after his death, he wrote "*Salvia allows us to give up our senses and wander in the interdimensional time and space... Also, and this is probably hard for most to accept, our existence in general is pointless. Final point: Us earthly humans are nothing.*" Because his use of the drug is considered to have contributed to his suicide, the Delaware State Legislature is rapidly moving to pass legislation (<http://www.delawareonline.com/apps/pbcs.dll/article?AID=/20060323/NEWS/603230360/-1/NEWS01>) that would make the drug illegal there.

Unlike marijuana, salvia has a nondescript appearance (being in the same genus as cooking sage), can be grown in a small space, has no odor and requires no elaborate lighting set-up, criminalization is likely to affect only the commercial sale of the plant, and not its private cultivation, which would be impossible to police. For most regular users growing the plant is considered to be an integral part of establishing a relationship with it.

Botany

Unlike other sages, *Salvia divinorum* produces very few seeds, and the seeds it does produce seldom germinate. It appears to have very little histocompatibility variation, so the pollen from a plant genetically identical to the style fails to reach the ovule. It is propagated by cuttings and by falling over and growing new roots. Although reportedly (Valdez, et al) isolated stands of *S. divinorum* exist in its native range, these are thought to be purposely created and tended by the people of the region. Therefore it is considered a true cultivar and thus does not occur naturally in the wild anywhere.

For the most part, the fate of the species lies with a very small number of clone plants. Of these few clones, there are only two that are in any kind of public circulation; the Wasson/Hofmann strain, and the Blosser ("Palatable") strain. The former is a strain discovered by those whose name the plant bears, when on a visit to the Mazatecs. The latter is the same case, in regards to name, and was discovered in Oaxaca; it is called "Palatable" as well, as it is said to have more palatable leaves when ingested orally than those of the Wasson/Hofmann strain, though other reports state that there is little difference between the taste of the plants. Other varieties are also grown, including the Luna strain which is a strange offshoot of the Hofmann/Wasson line. A few other strains exist, but they are mostly quite similar, in potency, effect, and growth.

References

1. Chavkin C, Sud S, Jin W, Stewart J, Zjawiony JK, Siebert DJ, Toth BA, Hufeisen SJ, & Roth BL. Salvinorin A, an active component of the hallucinogenic sage *salvia divinorum* is a highly efficacious kappa-opioid receptor agonist: structural and functional considerations (<http://jpet.aspetjournals.org/cgi/content/abstract/308/3/1197>). *J. Pharmacol. Exp. Ther.* 2004 Mar. 308 (3): 1197-1203.
2. Roth BL, Baner K, Westkaemper R, Siebert D, Rice KC, Steinberg S, Ernsberger P, Rothman RB. Salvinorin A: a potent naturally occurring nonnitrogenous kappa opioid selective agonist (<http://www.pubmedcentral.nih.gov/articlerender.fcgi?tool=pubmed&pubmedid=12192085>). *Proc. Natl. Acad. Sci. U.S.A.* 2002 Sep 3, 99 (18): 11934-11939.

External links

- The Salvia divinorum Research and Information Center (<http://sagewisdom.org/>) - Daniel Siebert's site
- Erowid Salvia Divinorum Vault (<http://www.erowid.org/plants/salvia/salvia.shtml>) - Salvia section from Erowid's vast reference site
- Lycaeum page on Salvia divinorum (<http://leda.lycaeum.org/?ID=269>) - another large reference site for psychoactives
- The Saivia Center (<http://www.salviacenter.com/>) - a hub for Salvia information on the web
- Salvia Divinorum Scotland (<http://www.salvia-divinorum-scotland.co.uk/>) - information and advice on cultivation etc.
- International section of the "Salvia Community" (<http://www.salvia-community.net/International-f16.html>) - discussions with Salvia experts from all over the world
- SpiritPlants Salvia Forum (<http://www.spiritplants.org/>)
- SalviaD Alliance Forum (http://groups.yahoo.com/group/SalviaD_Alliance)
- The Entheogen Forum (<http://www.entheology.org/>)
- The Australian Salvia Crusaders (<http://www.geocities.com/salviacrusaders/>) - Issues Regarding Australian Law and Salvia Divinorum

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Categories: Dissociatives | Entheogens | Herbal and fungal hallucinogens | Lamiaceae

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Salvia

How To Smoke Salvia Divinorum

by MSS

After numerous attempts I finally came upon what I call the Secret of Smoked Salvia divinorum. I will not discuss the subjective effects except in a limited sense, but what I do wish to discuss is how one might better feel these effects.

Find a comfortable position, preferably sitting down in a quiet environment. Load a water pipe with a full hit of Salvia, light and inhale as deeply, and hold as long, as possible.

While holding in the hit it may be advantageous to poke out the left over ash/foliage and reload. Upon exhalation take a couple deep breathes of fresh air then inhale a second hit as above.

Before taking another hit you may want to empty the water pipe of the left over smoke from the previous hit since the smoke stales quickly and make the next hit more difficult to inhale and hold for a length of time.

Depending on unknown factors, or insufficient inhalations, one may find it necessary to do a hit or two more. Two deep hits has always been good for me, but I have unusually large lung capacity.

Those who are used to smoking are more likely to feel the effects of Salvia simply due to the fact that their lungs are much better prepared to inhale a large amount of smoke. One technique to use to bring in large volumes of smoke is to take a few deep breathes, exhale all the air in the lungs and then inhale from the water pipe.

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One other technique is to continue loading and smoking until you no longer have the coordination to load anymore. I've tried this last technique before and it is really great for open eye visuals.

Most people don't feel anything the first time they try Salvia. If you do not get any results after several attempts, try using a high temperature lighter (or torch) and water pipe. The high temperature flame will vaporize more of the active ingredient than a standard lighter.

If you use a torch, don't do it alone. Make sure someone is there to turn off the torch. If the Salvia hits in the middle of a toke, you might lose control of the torch.

After taking the necessary hits close your eyes, lay your head back on a comfortable support, and get your arms and legs in a comfortable open position that won't require you to move after the effects have begun. When the effects begin one might have a strong desire to open ones eyes or change ones position to reestablish an equilibrium. It is important that you not do this. Lay perfectly still with eyes closed for the duration.

If you desire to attempt the experiment with eyes open I highly recommend staying still as possible, having no moving objects in sight, and fixing ones eyes upon a motionless object for the duration. The initial peak last for no more than three to five minutes while residual effects may carry on for ten.

With continued usage over time one becomes more adept at both noticing the effects of Salvia and at exploring the new landscape. As I continued using Salvia I reached a peak experience and now the visions are rather mundane, failing in their once spectacular glory.

The three most important factors in feeling the Salvia experience are appropriate silence, lack of movement, and closed eyes. I have found that a lack of dialog, either from other participants, or from TV is of primary importance, but that instrumental music makes for a quite intriguing experience, especially if 4 speakers are properly placed surrounding ones head.

Since silence is such an integral part of the experience I've conducted sessions with only one person experimenting at a time. The participation of others during ones Salvia

experience can at times be a hindrance.

If others are present when you are experimenting it is important that they be as quiet as possible, both vocally and in their physical movements (no creaking in chairs or traversing hardwood floors, heavy breathing, or, the hardest thing for an observer to hold back, laughter).

I've always required of other participants/observers that they be completely still so as to cause absolutely no noise. During the experience a new landscape is opened up, one without borders, and space can appear to go on infinitely.

Usually this landscape is one that can shift from one scene to the next without apparent provocation and which resembles a rapid succession of unconscious material forcefully trying to push itself into conscious awareness. If someone makes a noise or speaks the vision may be lost or altered since the noise, and where it is located in space, can still be comprehended by the conscious and rational mind.

This causes the mind of the experimenter, which can be quite conscious of two realities at once, to become aware of the inconsistency between these realities, and this can, and in my case usually does, disrupt the experience.

What the motionless body allows the mind to do is to slip deeper into the 3 dimensional nature of the vision. If the body is moved the vision will often alter or slip away. In some way the physical body defines the inner landscapes of the vision. My only way to explain this is to say that the conscious rational mind retains awareness of consensus reality while under the influence of Salvia.

Since Salvia creates a non-consensus reality body movement causes a dichotomy of awareness which can cause the mind to attempt a reconciliation between these realities. Consensus reality often wins, causing the vision to dissipate, or at least lose its convincing nature.

This sort of dual awareness is also played out with sight, which may be why many who attempt to feel the effects of Salvia, and have failed to try closing their eyes, cannot. By having ones eyes open the mind appears to be unconsciously forced to recognize one reality over the next and therefore cannot fall deeply into the full Salvia experience.

Of course this dichotomy of forces appears to be overcome

depending on how much is smoked, and obviously extracted Salvinorin-A forces consensus reality to the wayside.

The main physical effects that I have noticed are a feeling of a rise of body temperature and a slight tightening of the muscles, especially in the hands. I found that if I consciously focus on relaxing my body during this tensioning that I would be pulled further into the vision. This fits into my theory of dichotomy.

I've also found that after the main effects have worn off short term memory may be slightly impaired. For example, I kept forgetting about my lit cigarette in the ashtray. I would lay it down and then, in what appeared a couple minutes, it would be completely burned down to the filter.

One may also notice an inability to recall many of the aspects of the vision and may suffer from incoherent speech. The incoherent speech is very important in attempting to interpret the experience. Just as in Freudian dream psychoanalysis the mind make attempts to fill in the blanks of the vision with coherent structure, basically by adding material to make the vision make sense. But the visions in themselves are unconscious material coming up to a conscious level and this is very difficult to fully interpret.

When a participant comes down from the experience with me I remain completely silent, allowing the partaker to speak freely without my interjections or my attempts to make sense of what is being said. Let them freely speak, without the criticism of the all to common laughter, and try to form a new mental picture from remembered material. Let them have enough quiet time to digest what has happened so that they might come to their own personal understanding.

The main psychological effects seem to be a dissociation from ones physical surroundings. One becomes aware of other surroundings and of communication with alien, though not necessarily extraterrestrial or spiritual, beings. One of the more interesting factors I have found with Salvia is its ability to cause laughter, sometimes even uncontrollably so. Rarely have I seen fear from smoked foliage, but with Salvinorin-A I understand it is common.

Of course these are only my own observations and I make no guarantees of the same effects for others. Two last, though not thoroughly tested observations are that marijuana smoked beforehand interferes with the effects of Salvia and

that the effects of *Salvia plateau*, thereby requiring a rapid succession of hits.

I have yet to see if any other entheogen limits *Salvia*'s effects. I look forward to testing and hearing about others' experiments with smoked *Salvia* during Mescaline, Psilocybin, Ayahuasca, and LSD excursions. It might also be interesting to try *Salvia* (masticated or smoked) in conjunction with smoked DMT. I have personally tried a smoked *Salvia*/5-MeO-DMT combination with highly dissociative effect on the ego (due to Id influences) while keeping a sense of superego awareness.

I became my superego aware of my ego as it was being affected and effected by my id. You could also say I became my super consciousness aware of my conscious mind being affected and effected by my unconscious mind. Quite a spectacular feeling. Tripartite Being recognized as one.

You should be aware that *Salvia* suitable for smoking purposes is available in different strengths and forms, for the sake of your own health always get standardized extract when possible, see below for more info.

--- *Normal Salvia Leaves* are just that, leaves that have been harvested and dried.

--- *High Grade Salvia Leaves* come from premium plants, similar to high grade marijuana compared to a standard strain.

--- *Crude Extract* is prepared by mixing crude extract with *Salvia divinorum* leaves. This concentrates tars and other harmful components of the leaf. It is usually described by a number followed by an x (such as "5x," "10x," etc). The number indicates the ratio of extract to leaf. For example 'Salvia Divinorum 10X Organic Extract', is prepared by mixing one unit of leaf with the tar-like crude extract obtained from nine units of leaf. The resulting product is ten times as potent as the leaves used to produce it. This type of product can vary tremendously in potency because the potency of the leaves used to produce it varies. It has a somewhat sticky feel and inferior burning characteristics due to the impure quality of the extract.

--- *Standardized Extract* is prepared by extracting pure salvinorin A (the active principal of the plant), then adding a measured quantity back onto *Salvia divinorum* leaves to bring them up to a specific, reliable, and consistent level of

potency. This type of product is time consuming to prepare, but is far superior to crude-extract enhanced leaf. Products that have been prepared in this manner have particularly good burning characteristics because they do not contain the tar-like, gummy chemicals found in crude extracts. Since the impurities have been removed during the extraction process, they won't end up in your lungs.

Salvia has been available legally in most areas of the world but it is being made illegal in more countries as time passes. Louisiana made it illegal to use Salvia as a drug in 2005. It used to be easy to buy Salvia online, it is becoming harder to find.

If you find a source, don't pay more than
\$50 for a gram of 20x standardized extract
\$25 for a gram of 10x standardized extract
\$15 for a gram of 5x standardized extract

When smoked (in the ways described), the effects of Salvia can be overpowering and overwhelming. If it is your first time trying Salvia use the table below to find the dosage you should start at.

Normal Salvia Leaves: 1/2 - 1 gram
High grade Salvia Leaves: 1/4 - 1/2 gram
Salvia Extract 5x: 1/10 - 1/3 gram
Salvia Extract 10x: 1/10 gram
Salvia Extract 15x: 1/20 gram
Salvia Extract 20x: 1/20 gram

The bouncing bear company sells salvia, that is ideal for smoking purposes, in the Salvia divinorum section of their site. They ship from the US to most areas of the world.

Liquid Salvia Extracts

I have seen liquid Salvia extracts (tinctures) available in the past but do not know if they are still available. They are recommended for people who don't like smoking or would prefer to ingest a liquid for a milder Salvia experience. Follow the manufacturers recommendations about how much to use and how to use it.

Using a liquid Salvia extract will not be as powerful as smoking Salvia. but the Salvia experience lasts longer when taken in liquid form than it does when smoked.

See [talking with god](#) for another persons idea of what the

Salvia experience is like.

Books

The Salvia Divinorum Grower's Guide

This book is dedicated to growing Salvia Divinorum only. There are other books that about dozens or hundreds of types of salvia, but this is the book to get if you want to grow the mind altering Salvia Divinorum plant.

It's an informative book that tells you everything you need to know about the special growing conditions of this unusual plant. It is only 64 pages, but the information it contains will help anyone start and maintain a Salvia Divinorum garden with ease.

The Salvia Divinorum Grower's Guide

A Book of Salvias: Sages for Every Garden

Salvias constitute the largest genus in the mint family, valued for their medicinal and culinary qualities. The name is derived from the Latin word *salvare*, to heal, and salvia provides a beneficial addition to any garden.

More than 900 species of Salvia exist, with more than half occurring in North and South America. In this book, the author has selected over 100 beautiful, garden worthy species and dozens of commercially significant hybrids and arranged them alphabetically with documentation providing the scientific name and native habitat of each, including elevation ranges and temperature tolerance, as well as historical background.

The author describes the leaves and flowers of each species, its blooming cycle, and its light, watering, fertilizing, and pruning requirements. Also suggests companion plants and offers data on propagation. The book includes a list of where to see and buy salvias, a flowering guide by seasons, and cold and shade tolerance guides. There are 96 color photographs and 40 line drawings.

A Book of Salvias

What's New
Announcements
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Salvinorin A: Notes of Caution

What's Related >>

Leda

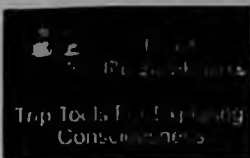
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by Daniel J. Siebert. From "The Entheogen Review" Vol. 3, No.4: Winter Solstice, 1994.

Salvinorin A (the major active principal of the plant *Salvia divinorum*) is an extremely powerful consciousness altering compound. In fact it is the most potent naturally occurring hallucinogen thus far isolated. But before would-be experimenters get too worked-up about it, it should be made clear that the effects are often extremely unnerving and there is a very real potential for physical danger with its use.

When the herb *Salvia divinorum* is consumed either by smoking the dried leaf or chewing the fresh leaves the effects are usually (but not always) pleasant and interesting, this is because when used this way the amount of salvinorin A absorbed into the blood stream is usually very small and in the case of the chewed leaves it is absorbed into the blood stream very gradually.

The pure compound salvinorin A is active at 200 - 500 mcg when vaporized and inhaled. Since very few people have the costly equipment necessary to accurately weigh anything close to this small an amount, it is inevitable that people will try to visually estimate the dose. Unfortunately there is little room for error before the effects become potentially dangerous. When the dose goes above 500 - 1000 mcg the effects can be very alarming, I have seen several people get up and lunge around the room falling over furniture, babbling incomprehensible nonsense and knocking their heads into walls. Several people have tried to wander out of the house. When the experience is over they have no memory of any of this. In fact they usually remember very different events. To an outside observer people in this condition have a blank look in their eyes as if no one is present (and perhaps no one is). It is also common for people to have a facial expression which is probably best described as being like that of a frightened animal. It appears that at these "larger" doses one completely loses awareness of, and control over, the physical body and for some reason part of the brain causes the body to get up and move about recklessly while the individual has no awareness of where their physical body is or what it is doing. It seems inevitable that one of these days some careless person will do too large a dose without a sitter and will wander out in the street, or hurt themselves in some way.

Because the dose is so small and insignificant looking, there is a tendency for people to think they need more than what they are told is a safe dose. Another problem is that the technique of vaporizing and inhaling the compound can be a bit tricky. Salvinorin A has a relatively high boiling point and people often don't get it hot enough to remain a gas all the way down into the lungs. Another problem is that so little is used that the vapor often disperses before it gets inhaled. Sometimes people just don't hold the vapor in their lungs long enough for thorough absorption. Several people after trying a dose in the recommended safe range and not getting an effect assumed that they needed a larger dose, when in fact the problem was that they did not vaporize the material efficiently the first time. I have already seen more than one intelligent, careful and experienced person accidentally do too large a dose because of this. Fortunately they had sitters and managed to get through the experience safely.

It is also important to understand that there have been no toxicological studies of

this compound in humans. It is true that the Mazatecs have used the plant for a very long time and don't seem to have problems with it, but when the pure compound is used it would be a simple matter to consume a dose hundreds of times greater than anything ever encountered by the Mazatecs.

Not only is salvinorin A chemically different from other hallucinogens (it is a diterpene not an alkaloid) but its effects are quite different as well. Many people consider the effects less manageable and harder to work with than other entheogens. The majority of people who have had a full blown experience with salvinorin A are reluctant to ever do it again. Anyone choosing to experiment with this compound should always have an alert, clear-thinking sitter present to prevent them from injuring themselves or others.

Salvia divinorum as an herb can be used quite safely and many people claim that it has proved beneficial to them. Hopefully there will not be a rush to isolate the pure compound as it is almost inevitable that it will cause problems, people will get hurt, the compound and possibly the plant will get negative attention and it will become scheduled. We will just be adding one more potentially valuable plant ally to the list of species which are already feared and condemned in our society.

If you choose to pursue a relationship with this plant please treat it with respect and care. Perhaps if people can use the plant safely and responsibly it will be able to grow and thrive freely into the future.

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SB

45

Alaska State Legislature



Out of Session:
PO Box 531
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(907) 443-5599

In Session:
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SENATOR DONALD C. OLSON

DISTRICT

Alakanuk
Ambler
Anaktuvuk Pass
Atkasuk
Barrow
Brevig Mission
Browerville
Buckland
Chevak
Deering
Diomedes
Elim
Emmonak
Gambell
Golovin
Hooper Bay
Kaktovik
Kiana
Kivalina
Kobuk
Kotlik
Kotzebue
Koyuk
Mountain Village
Noatak
Nome
Noorvik
Nuiqsut
Nunam Iqua
Pilot Station
Pitka's Point
Point Hope
Point Lay
Savoonga
Scammon Bay
Selawik
Shaktoolik
Shishmaref
Shungnak
St. Mary's
St. Michael
Stebbins
Teller
Unalakleet
Wainwright
Wales
White Mountain

February 1, 2007

MEMORANDUM

To: Senator French, Chair
Senate Judiciary Committee

From: Senator Olson 

Re: Request for a committee hearing for SB 45, Peace Officer Convicted of Murder.

I would appreciate the scheduling of a Judiciary Committee hearing of SB 45 at your earliest convenience. Attached is a sponsor statement and support documentation. If you need additional information, please contact me or Dave Gray in my office.

Thank you for your attention to this request.

Alaska State Legislature



Out of Session:
PO Box 531
Golovin, Alaska 99762
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In Session:
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Juneau, Alaska 99801-1182
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SENATOR DONALD C. OLSON

DISTRICT T

SPONSOR STATEMENT

SB 45, Peace Officer Convicted of Murder.

Alakanuk
Ambler
Anaktuvuk Pass
Atkasuk
Barrow
Brevig Mission
Browerville
Buckland
Chevak
Deering
Diomedea
Elim
Emmonak
Gambell
Golovin
Hooper Bay
Kaktovik
Kiana
Kivalina
Kook
Kolik
Kolzebue
Koyuk
Mountain Village
Noatak
Nome
Noorvik
Nuiqsut
Nunam Iqua
Pilot Station
Pitka's Point
Point Hope
Point Lay
Savoonga
Scammon Bay
Selawik
Shaktolik
Shishmaref
Shungnak
St. Mary's
St. Michael
Stebbins
Teller
Unalakleet
Wainwright
Wales
White Mountain

SB 45 mandates the maximum sentence for first-degree murder when committed by an on-duty peace officer.

This legislation derives from the Nome murder of Sonya Ivanoff, a well-known and well-liked young girl in the Bering Straits region. The investigation and subsequent conviction of the police officer responsible for the murder caused much anguish and consternation for both the Ivanoff family and the region's population in general.

At the police officer's sentencing, the judge agreed with the state prosecutor's recommendation that the maximum penalty should be imposed. His rationale was that while state law mandates the maximum penalty when a peace officer is murdered while acting in the line of duty [AS 12.55.125 (a)(1)], first degree murder by a peace officer acting in a position of trust and public protection was equally egregious.

SB 45 provides sentencing parity for the protection of our guardians of civil law and order and for the public trust in their activities and responsibilities.

ALASKA FEDERATION OF NATIVES**2006 ANNUAL CONVENTION****RESOLUTION 06-17**

TITLE: SUPPORTING SONYA IVANOFF LAW

WHEREAS: A police officer was recently convicted of murder in the first degree in the death of 19 year old Alaska Native Sonya Ivanoff and sentenced to 99 years of imprisonment; and

WHEREAS: AS 12.55.125, provides in part that a Defendant convicted of murder in the first degree shall be sentenced to a mandatory term of imprisonment of 99 years when the defendant is convicted of murder of a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was engaged in the performance of official duties at the time of the murder; and

WHEREAS: the State attorney cited AS 12.55.125 as justification for imposing a sentence of 99 years of imprisonment for the police officer who murdered Sonya Ivanoff; and

WHEREAS: the State's attorney opined during the sentencing hearing that an equivalent sentence should result if a police officer is convicted of murder in the first degree for a crime that is committed while the officer is on duty; and

WHEREAS: the Presiding Judge agreed with the State's attorney's rationale and imposed the maximum sentence of 99 years of imprisonment for the police officer who brutally murdered Sonya Ivanoff while he was on duty; and

WHEREAS: the Alaska Legislature has an opportunity to restore confidence in the Justice System for ALL ALASKA RESIDENTS, no matter where they live, and assure that justice is equally applied for all residents; and

WHEREAS: Alaska Federation of Natives, Inc. believes that more stringent sentencing guidelines need to be enacted to reflect the State's desire to bring to justice ALL criminals, whether or not they are uniformed, and a higher sentencing standard should be applied to peace officers who are convicted of committing murder in the first degree while on duty; and

WHEREAS: Peace officers convicted of committing murder in the first degree should be sentenced to 99 years without the possibility of parole.

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NOW THEREFORE BE IT RESOLVED by the Delegates to the 2006 Annual Convention of the Alaska Federation of Natives, Inc. that AFN hereby requests that our regional delegation to the Alaska State Legislature, Senator Donald Olson, Representative Richard Foster and the Representative Reginald Joule, sponsor a bill amending AS 12.55.125 to include language adding a paragraph (5) as follows:

5. The defendant is a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was on duty at the time of the murder. This provision shall be known as "The Sonya Ivanoff Law."

BE IT FURTHER RESOLVED that the bill also includes the following language:

The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. The Act applies to offenses or acts committed on or after the effective date of this Act.

This Act takes effect immediately under AS 01.10.070 (c).


BE IT FURTHER RESOLVED, that the Alaska Federation of Natives, Inc. hereby requests the Alaska State Legislature and the Governor to support passage and enactment of this bill.

SUBMITTED BY: KAWERAK, INC AND NORTON SOUND HEALTH CORPORATION

COMMITTEE ACTION: DO PASS

CONVENTION ACTION: AMENDED AND PASSED





KAWERAK, INC. • P.O. Box 948 • Nome, AK 99762

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SHAKTOOLK

SHISHIAREF

SOLOMON

STEBBINS

ST. MICHAEL

TELLER

UNALAKLEET

WALES

WHITE MOUNTAIN

Good morning, Chairperson McGuire and members of the Senate State Affairs Committee.

Thank you for this opportunity to testify on SB 45 – “An Act relating to murder in the first degree.” My name is Loretta Bullard. I am President of Kawerak Incorporated, a regional non-profit consortium of 20 tribes located on the Seward Peninsula of Alaska. I am testifying in support of this bill.

As a long term resident of Nome, I wanted to speak to the horror that the entire community of Nome experienced, when Sonya Ivanoff was killed. No one knew who had killed this beautiful, vibrant, promising young woman. Her family, friends, and community were devastated. There were a number of individuals who were suspected early on, wrongly, as it turns out. When a member of the Nome Police Department came under suspicion, there was a time during which the Nome Police Department attempted to investigate one of their own. Thankfully, the Alaska State Troopers were called in. Community residents were horrified:

- to find that a Nome Police Officer was under suspicion of murder;
- that the Nome Police Officer was released on \$35,000 bail pending trial - his bail was subsequently revoked when he was observed driving around Nome with a juvenile in his vehicle without his court ordered custodian; and
- when the police officer was convicted of 1st degree murder and a review of the State Statutes left open the possibility of a minimal sentence and parole.

Currently, state statute provides that an individual will be incarcerated for a mandatory 99 years if they are convicted of the murder of a uniformed police officer, fire fighter or correctional employee – but the opposing scenario is not addressed.

We strongly believe that a peace officer should be held to a stringent standard, since, as an officer of the law, they have sworn to uphold it. They are the individuals, we as community members look to for help during times of need. Matt Owens failed in his capacity as a sworn police officer and as a human being.

The language that is before the committee would insure that peace officers convicted of first degree murder while on duty would receive a mandatory sentence of 99 years. Our understanding is that a separate statute (AS 33.19.90) removes the possibility of being eligible for discretionary parole for crimes listed in AS 12.55.125. However, there is no prohibition against early release for good behavior which could result in a reduction to time served by 1/3. We recommend that the language be amended to remove any possibility of early release and that the amended legislation be forwarded for consideration to the Senate Judiciary Committee. As part of my testimony, I am forwarding copies of resolutions from Kawerak and Norton Sound Health Corporation Board of Directors in support of this bill.

Thank you for this opportunity to testify.



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RESOLUTION 2006-08

A RESOLUTION SUPPORTING THE "SONYA IVANOFF LAW"

WHEREAS, A police officer was recently convicted of murder in the first degree in the death of 19 year old Alaska Native Sonya Ivanoff and sentenced to 99 years of imprisonment; and

WHEREAS, AS 12.55.125, provides in part that a Defendant convicted of murder in the first degree shall be sentenced to a mandatory term of imprisonment of 99 years when the defendant is convicted of murder of a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was engaged in the performance of official duties at the time of the murder; and

WHEREAS, the State attorney cited AS 12.55.125 as justification for imposing a sentence of 99 years of imprisonment for the police officer who murdered Sonya Ivanoff; and

WHEREAS, the State's attorney opined during the sentencing hearing that an equivalent sentence should result if a police officer is convicted of murder in the first degree for a crime that is committed while the officer is on duty; and

WHEREAS, the Presiding Judge agreed with the State's attorney's rationale and imposed the maximum sentence of 99 years of imprisonment for the police officer who brutally murdered Sonya Ivanoff while he was on duty; and

WHEREAS, the Alaska Legislature has an opportunity to restore confidence in the Justice System for ALL ALASKA RESIDENTS, no matter where they live, and assure that justice is equally applied for all residents; and

WHEREAS, the Kawerak Board of Directors has strongly urged the investigation of the deaths of Alaska Natives in and around Nome that have occurred over the past 40 years, and believes very strongly that more stringent sentencing guidelines need to be enacted to reflect the State's desire to bring to justice ALL criminals, whether or not they are uniformed, and the Kawerak Board further believes that a higher sentencing standard should be applied to peace officers who are convicted of committing murder in the first degree while on duty;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of Kawerak Incorporated hereby requests that our regional delegation to the Alaska State

Legislature, Senator Donald Olson and Representative Richard Foster and the Representative from the District in which the trial was held, Representative Reginald Joule, sponsor a bill amending AS 12.55.125 to include language adding a paragraph (5) as follows:

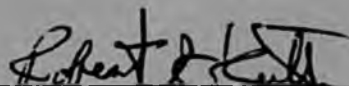
- (5) the defendant is a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was on duty at the time of the murder. This provision shall be known as "The Sonya Ivanoff Law."

FURTHER BE IT RESOLVED the bill also include the following language:

The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. The Act applies to offenses or acts committed on or after the effective date of this Act.

This Act takes effect immediately under AS 01.10.070 (c).




Robert Keith, Board Chairman

CERTIFICATION:

I, the undersigned Secretary of Kawerak, Inc., Board of Directors hereby certify the foregoing Resolution 2006-08 was adopted at a duly called meeting of the Kawerak Executive Committee held on this 21st day of June, 2006.

Resolution 2006-08 was adopted by 4 Votes in FAVOR

0 Votes OPPOSED.



Rosemary Tootkaylok, Board Secretary



NORTON SOUND HEALTH CORPORATION

P.O. BOX 966
NOME, ALASKA 99762
(907) 443-3311

NORTON SOUND HEALTH CORPORATION BOARD OF DIRECTORS

RESOLUTION # 2006-12

A RESOLUTION SUPPORTING THE "SONYA IVANOFF LAW"

WHEREAS, A police officer who was convicted of murder in the first degree in the death of 19 year old Alaskan Native Sonya Ivanoff was recently sentenced to 99 years of imprisonment and an additional 2 years for tampering with evidence; and

WHEREAS, A.S. 12.55.125, provides in part that a defendant convicted of murder in the first degree shall be sentenced to a mandatory term of imprisonment of 99 years when the defendant is convicted of the murder of a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was engaged in the performance of official duties at the time of the murder; and

WHEREAS, the State's attorney cited A.S. 12.55.125 as justification for imposing a sentence of 99 years of imprisonment for the police officer who murdered Sonya Ivanoff, and

WHEREAS, The State's attorney opined during the sentencing hearing that an equivalent sentence should result if a police officer is convicted of murder in the first degree for a crime that is committed while the officer is on duty; and

WHEREAS, The Presiding Judge agreed with the State Attorney's rationale and imposed the maximum sentence of 99 years of imprisonment for the police officer who brutally murdered Sonya Ivanoff while he was on duty; and

WHEREAS, The Alaska State Legislature has an opportunity to restore confidence in the Justice System for **ALL ALASKA RESIDENTS**, no matter where they live, and assure that justice is equally applied for all residents; and

WHEREAS, The Norton Sound Health Corporation Board has in the past strongly urged the investigation of the mysterious deaths of Alaska Natives in and around Nome that have occurred over the past 40 years, and believes very strongly that more stringent sentencing guidelines need to be enacted to reflect the State's desire to bring to justice **ALL** criminals, whether or not they are uniformed, and the Board further believes that a higher sentencing standard should be applied to peace officers who are convicted of committing murder in the first degree while on duty.

NOW THEREFORE BE IT RESOLVED, That the Board of Directors of the Norton Sound Health Corporation hereby requests that our regional delegation to the Alaska State Legislature,

Senator Donny Olson and Representative Richard Foster, and the Representative from the District in which the trial was held, Representative Reggie Joule, sponsor a bill amending A.S. 12.55.125 to include language adding a paragraph (5) as follows:

(5) The defendant is a uniformed or otherwise clearly identified peace officer, fire fighter, or correctional employee who was on duty at the time of the murder. This provision shall be known as "The Sonya Ivanoff Law."


FURTHER BE IT RESOLVED, That the bill also include the following language:

The un-codified law of the State of Alaska is amended by adding a new section to read:

Applicability. This Act applies to offenses or acts committed on or after the effective date of this Act.

Certification

Passed this 5th day of May 2006, at the duly convened meeting of the Norton Sound Health Corporation Full Board of Directors.



Emily Hughes, NSHC Board Chairman



Berda Willson, NSHC Board Secretary

NORTON SOUND HEALTH CORPORATION
FY 2006 BOARD OF DIRECTORS
SIGNATURE PAGE

Leonard Adams
Leonard Adams
Native Village of Brevig Mission

Karen Kazinguk
Karen Kazinguk
Native Village of Diomede

June Wabunga
June Wabunga
Native Village of Gambell

Robert Keith
Robert Keith
Kawerak, Inc.

Morris Nassuk
Morris Nassuk
Native Village of Koyuk

John Handeland
John Handeland
Nome At Large

Austin Ahmasuk
Austin Ahmasuk
Nome Eskimo Community II

Virginia Washington
Virginia Washington
Native Village of St. Michael

Simon Bekoolok Jr.
Simon Bekoolok Jr.
Native Village of Shaktoolik

Brian James
Brian James
Village of Solomon

Emily Hughes
Emily Hughes
Native Village of Teller

Frank Oxereok Jr.
Frank Oxereok Jr.
Native Village of Wales

Berda Willson
Berda Willson,
Native Village of Council

Clarence Saccheus
Clarence Saccheus
Native Village of Elim

Mary Jane Willoya
Mary Jane Willoya
Chinik Eskimo Community

Jennifer Carlisle-Little
Jennifer Carlisle-Little
King Island Native Community

Dora Mae Hughes
Dora Mae Hughes
Mary's Igloo

Alfred Sahlin
Alfred Sahlin
Nome Eskimo Community I

Mary Knodel
Mary Knodel
City of Nome

Verna Inningan
Verna Inningan
Native Village of Savoonga.

Luci Eningowuk
Luci Eningowuk
Native Village of Shishmaref

Jean Ferris
Jean Ferris
Stebbins Community Association

Kathy Johnson
Kathy Johnson
Native Village of Unalakleet

Lincoln Simon Sr.
Lincoln Simon Sr.
Native Village of White Mountain

SB

48

ALASKA STATE LEGISLATURE

Senate District H
600 E. Railroad Avenue
Wasilla AK 99654
907-376-4866
907-373-4724 - Fax
Senator_Charlie_Huggins@legis.state.ak.us



State Capitol, Room 119
Juneau AK 99801-1182
907-465-3878
Fax: 907-465-3265
800-862-3878
www.akrepublicans.org/huggins/

Charlie Huggins Senator

SPONSOR STATEMENT SB 48

"An Act amending Rule 62, Alaska Rules of Civil Procedure, to limit the amount of the bond required to stay execution of a judgment in a civil litigation during an appeal or review; and amending Rules 204 and 205, Alaska Rules of Appellate Procedure, to limit the amount of the bond required to stay execution of a judgment in a civil litigation during an appeal."

Under current law in Alaska, a defendant is required to post a bond equal to the amount of the judgment plus appeal costs and interest – this is one of the highest appeal bond requirements in the nation.

SB48 proposes an appeal bond cap of the lesser of \$5 million dollars or ten percent of the defendant's net worth on the bond required for appeal. This bill ensures that the Right to appeal for all defendants' is protected.

Of the forty-five states that require a bond to secure an appeal, thirty-five with similar laws to Alaska have recognized that excessive appeal bond requirements jeopardize the integrity of the legal system and have adopted an appeal bond cap.

The risks posed by high appeal bonds are real. Numerous companies and individuals have been forced to either declare bankruptcy in order to stay execution of a judgment pending appeal, or settle with plaintiffs purely because they could not afford to pay the required bond, even when they have good arguments that the verdict against them was improper.

SB48 protects plaintiffs by allowing complete reinstatement of the full bond requirement if a preponderance of evidence shows that dissipation or diversion of assets is taking place. This limitation does not apply to awards resulting from the injury, loss, or destruction of natural resources caused by an environmental disaster. In addition, the limit will help guarantee that plaintiffs who obtain judgments will have solvent defendants from whom they can collect.

Contact: Karen Sawyer, Staff
465-3878
Version C
February 14, 2007

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 485-3867 or 485-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 5, 2007

SUBJECT: Proving dissipation of assets outside the normal course of business; proof by a preponderance of the evidence; and defining net worth. (HB 103, (Work Order No. 25-LS0401A))

TO: Representative John Coghill
Attn: Karen Lidster

FROM: Dennis C. Bailey *DCB*
Legislative Counsel

You have asked three questions concerning the portions of HB 103 that provide that an appellee prove by a preponderance of the evidence that an appellant is intentionally dissipating assets outside the ordinary course of business to avoid payment of a judgment.

(1) What is required to prove by a "preponderance" of the evidence?

The Alaska pattern jury instructions provide a good definition for the preponderance of the evidence standard of proof:

. . . [T]he instructions that follow ask you to decide whether something is more likely true than not true. Something is more likely true than not true if you believe that the chance that it is true is even the slightest bit greater than the chance that it is not true. In more familiar language, something is more likely true than not true if you believe that there is a greater than 50 percent chance that it is true. Fifty-one percent probability is enough; no more is required for you to decide that something is more likely true than not true.

Proof by a preponderance of the evidence is the normal burden of proof in civil cases.

(2) Would it be possible to place the burden on the appellant by making it the appellant's burden to provide to the court information on any and all business transactions that the appellant makes during the appeal period?

It is possible to place the burden on the appellant to prove that that the appellant is not dissipating assets to avoid payment of a judgment. An argument supporting that proposition is that the financial records of the appellant are normally not available to the appellee so it would be unlikely that an appellee would be aware of any dissipation. On the other hand, requiring an appellant to make all business transactions available to the

Representative John Coghill

March 5, 2007

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court could be extremely burdensome, particularly for a large, or a small, business. Also, if such a provision were enacted, the courts would have to spend time and resources to establish a system to track the records, which could be extensive. Further, a court would probably be reluctant to make a determination on its own that assets are being dissipated. Normally, such a determination would only be made on motion after hearing the arguments of the parties. Other factors to consider are that many appeals may be pending simultaneously and appeals can continue for long periods, sometimes for years.

(3) How is net worth determined for a business or for an individual? Would it be advisable to include a definition of net worth in the bill?

In Title 21 of the Alaska Statutes, the net worth for an insurer "is calculated as its recorded assets less its liabilities." AS 21.90.900(34)(C). (I am not sure whether "recorded" has particular significance.) "Net worth" is used in several places in the Alaska Statutes without a definition. I located multiple definitions of "net worth," (without a particularly authoritative source) that defined "net worth" as total assets less total liabilities. My opinion is that a definition is not required, but an accountant may add additional guidance on this topic.

If I may be of further assistance, please advise.

DCB:ljw
07-108.ljw

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LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
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MEMORANDUM

January 5, 2007

SUBJECT: Appeal bonds; suggested alternate language.
(Work Order No. 25-LS0310\C)

TO: Senator Charlie Huggins
Attn: Karen Sawyer

FROM: Dennis C. Bailey *DCB*
Legislative Counsel

I have prepared the final draft for prefiling using the specific language you requested. However, some awkwardness and ambiguity are created by combining paragraphs (2) and (3) of the previous version because of the multiple references to "however," "unless," and "limitation." The change you requested also results in a definition appearing in the middle of the paragraph rather than at the end as required by the legislative drafting manual. Although the legislative drafting manual does not necessarily apply to court rules, placing definitions at the end is preferred. I moved the definition to the end of new subsection (2).

I recommend that during your review of the bill you consider using the following structure for the changes in sec. 2 of the enclosed bill if it retains the meaning you intend:

(2) When the judgment is for the recovery of money not otherwise secured, the amount of the bond shall be fixed at such sum as will cover the whole amount of the judgment remaining unsatisfied, costs on the appeal, and interest, unless the superior court, after notice and hearing and for good cause shown, fixes a different amount or orders security other than the bond. However, the amount of the bond that is required collectively of all appellants may not exceed the lesser of \$5,000,000 or 10 percent of all appellants' net worth regardless of the value of the judgment. This limitation does not apply

(A) to awards resulting from the injury, loss, or destruction of natural resources caused by an environmental disaster; in this subparagraph, "environmental disaster" means a real and substantial threat to the environment caused by the release of oil or other petroleum products or hazardous substances from a facility or carrier; or

Senator Charlie Huggins

January 5, 2007

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(B) if an appellee proves by a preponderance of the evidence that an appellant is intentionally dissipating assets outside the ordinary course of business to avoid payment of a judgment.

Also, please note that I corrected a typo on page 3, line 1, changing "applicant" to "appellant." In order to address the reference to "collectively," I revised "appellant" to read "all appellants."

It was brought to my attention that page 3, line 2 refers to a "defendant's" net worth, rather than "appellant's" net worth. I think "appellant's" was intended, and I made the change.

In a similar vein, page 3, line 2 refers to the net worth of a (single) "defendant" (now "appellant") as a measure of the bond amount required. Assuming there may be multiple appellants, I used "the net worth of all appellants," because the alternative seems illogical and to make it consistent with other similar references appearing elsewhere in the draft. I made a similar change to page 2, line 3, and page 4 line 1. Please review these changes closely to be sure they agree with your intent.

Secs. 1 - 3 each refers to a release of oil or other petroleum product or hazardous substances from a facility or carrier. The Alaska Statutes contain a range of definitions for the terms "facility" and "carrier," but the court rules do not define those terms. I think your intent may be retained by deleting the references to "facility" and "carrier." In addition, you should consider adding the term "unpermitted" before "release" in each of the sections. See, e.g., AS 43.55.165(e)(15) and AS 46.03.822(a). Finally, you might also consider adding "into the environment" following "release." See, e.g., AS 46.03.826(9). Let me know if you would like to make these changes.

If I may be of further assistance, please advise.

DCB:med
07-001.med

Enclosure