



BURNSIDE

LAW GROUP

December 6, 2016

Derek B. Brett
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VIA Registered Mail:

Joseph T. Rannazzisi
Deputy Assistance Administrator
Office of Diversion Control
Drug Enforcement Administration
8701 Morrisette Drive,
Springfield, Virginia 22152

Dear Mr. Rannazzisi:

I represent the interests of Soul Quest Church of Mother Earth ("Soul Quest"), a religious institution based in Orlando, Florida. I write in response to the correspondence your agency had previously directed to my client. That correspondence advised my client to cease and desist the use of Ayahuasca as a sacrament during its religious ceremonies.

The specific religious faith of Soul Quest and its members is a hybrid of Native American spirituality and Christianity, very much akin – in many ways to the institution that was the subject of the Supreme Court's 2006 decision in the O Centro Espirita Beneficente Uniao Do Vegetal matter. In other words, the ritual use of Ayahuasca in the Soul Quest ceremonies and services is deemed to be fundamental to its religious practices.

Soul Quest would normally be deemed to be protected in these practices under both the Religious Freedom Restoration Act of 1993, the subject of the O Centro Espirita decision before the Supreme Court. As federal authorities, of course, the DEA is subject to that decision, its progeny, and in recognizing the fundamental constitutional right of Soul Quest and its members to freely practice its religious beliefs.

The correspondence from the DEA – dated August 22, 2016, and attached, hereto – is troubling for several reasons. First, the correspondence has effectively shuttered the ability of the Church to tend to its members. As the use of Ayahuasca is so fundamental to its religious ceremonies, the Church and its members are wholly unable to exercise their sincere religious beliefs. It is the underlying nature of your

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agency, and its ability to arrest and have prosecuted the leadership and members of Soul Quest that has resulted in the shutdown of most Church operations and all affiliated religious services.

Second, even though the DEA will attest to the presence of an exemption process, that very process seems rife with defects that – we reasonably believe violate both the spirit of the RFRA and the letter of the Free Exercise Clause of the First Amendment. Such an exemption process, for which there appears virtually no definition, appears to allow for your agency – presumably, with the assistance of a designated Assistant U.S. Attorney – to wield absolute discretion over the process. Again, such enhanced authority seems in direct conflict with my client and its members' ability to freely exercise their faith according to the tenets of that faith. Further, our analysis of the DEA's exemption process further solidifies the impression that few, if any, exemptions are actually granted.

Indeed, the exemption process, for which there seems to be no mandated timetable for completion, serves to only exacerbate the injury to Soul Quest and its followers. Already, the Soul Quest Church has lost many of its members. Consequently, those adherents in the Central Florida area are left without any suitable religious venue upon which to practice their faith. The harm that has ensued is quickly approaching a permanent status.

We are seeking input from agency. We are seeking elaboration on what criteria are utilized by the DEA in scrutinizing exemption applications. We are seeking information to better understand a process which – despite the sincere nature of the religious beliefs being expressed by Soul Quest and its followers – would – on its face, at the very least – seems geared only to denying an exemption despite such actual, veritable sincerity and the core nature of the use of Ayahuasca. Of course, it is our ultimate hope that a suitable dialogue could be achieved between the DEA and Soul Quest to permit for a reputable exemption process allowing for Soul Quest to – in the near future – resume engagement in its religious sacraments.

I look forward to your forthcoming response. Due to the continuing nature of the injury to Soul Quest, we are requesting your response, via correspondence to this office, by no later than December 24, 2016.

Sincerely,



DEREK B. BRETT
Counsel for Soul Quest