



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Passes Legislation To Ban Salvia Divinorum And Calls On Assembly For Its Support

JOHN J. FLANAGAN January 24, 2012

| ISSUE: **CONTROLLED SUBSTANCES**

Senator John Flanagan today announced that legislation he sponsored to ban the sale of the hallucinogen salvia divinorum throughout New York State has passed the Senate. The Senator has been advocating since 2005 for a statewide ban of the hallucinogen, which is widely claimed to have the same effects as lysergic acid diethylamide (LSD). While his efforts have gained Senate passage five times prior to this vote, the New York State Assembly has repeatedly failed to act.

This year, however, the legislation is being sponsored by Assemblyman Felix Ortiz (51st Assembly District) and Senator Flanagan is hopeful that the Assembly will act so the legislation can be sent to Governor Andrew Cuomo to finally become law in New York State.

Salvia divinorum, also known as Diviner's Sage, Sister Salvia, Ska Maria Pastora or simply salvia, is a psychoactive plant from the mint family and is currently available on the Internet and in stores without age restrictions.

Senator Flanagan has led the effort to ban the herb following incidents that have been reported in the news throughout the past several years. In one incident last year, Ryan Santanna, a 21-year old Roosevelt Island resident, had allegedly been smoking salvia

divinorum before apparently leaping to his death in Roosevelt Island. This is the same legal substance that pop star Miley Cyrus was allegedly smoking in a widely distributed video clip in 2010.

According to the Drug Enforcement Agency (DEA), the substance is chewed or smoked to induce illusions and hallucinations, the diversity of which is described by users as similar to those induced by ketamine, mescaline, or psilocybin. It is currently under review by the medical and scientific community to determine if it should be a controlled substance.

While the long-term effects of salvia divinorum are still being considered, the National Drug Intelligence Center has indicated that they may be similar to those produced by other hallucinogens such as LSD (lysergic acid diethylamide) including depression and schizophrenia.

Some who have taken salvia divinorum also indicate that long-term abuse can cause hallucinogen persisting perception disorder, or "flashbacks." Numerous individuals report experiencing negative effects during their first experience with salvia divinorum and indicate that they would not use it a second time. Some others report that the drug caused them to become introverted and sometimes unable to communicate clearly.

Senator Flanagan's legislation, which would go into effect sixty days after becoming law, would subject violators to a civil penalty of up to \$500 per violation.

"Salvia divinorum is a substance that can act as a gateway to further drug use and this legislation will help keep children in our state from starting down that destructive path. Too many families in our communities have been affected by the ongoing fight against drugs. Parents need to know that New York State is taking steps to help win that important fight. The simple reality is that we need to ban the sale of salvia divinorum this year and I look

forward to working with Assemblyman Ortiz to finally make that happen,” stated Senator Flanagan.

“This substance poses a real danger to young people who use it,” Senate Majority Leader Dean G. Skelos said. “I applaud Senator Flanagan for taking the lead in addressing this problem and I hope the Assembly will join us in passing this bill so it can be enacted into law this year.”

“Do a basic Internet search of ‘salvia divinorum Long Island’ and one of the first things you see are ads to purchase it. These companies do not care about the children of New York State and they continue to heavily market and sell this plant-based hallucinogen to our kids. If you do a basic YouTube search of Salvia, you get over 27,000 hits that show first-hand the devastating effects of this substance and how it completely alters the minds and personalities of its users. Bottom line, the brains of teens/young adults are not fully developed, they might think something that is plant-based and sold to them via the Internet might be a safer alternative to street drugs. The truth is that salvia divinorum is not safer than street drugs – it can have very serious consequences and this legislation sends a clear message to those selling or using the substance that it should be illegal,” stated Maureen Rossi, President Kings Park in the kNOw.

“Addiction has become one of Long Island's - and one of New York State's - most pressing public health problems,” stated Dr. Jeffrey Reynolds, Executive Director of the Long Island Council on Alcoholism & Drug Dependence. “We thank Senator Flanagan for once again introducing this measure and working with his colleagues to ensure its passage. We hope the NYS Assembly will follow suit because increasing numbers of young people are using salvia, suffering significant health consequences and in many cases, going on to use other drugs including prescription medication and heroin. A ban on salvia sales will save both health care dollars and the lives of young people in our community.”