

**CITY OF BALTIMORE  
COUNCIL BILL 11-0256R  
(Resolution)**

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Introduced by: Councilmembers Conaway, Kraft, Holton, Welch, Spector, President Young,  
Councilmembers Middleton, Curran, Branch, Clarke  
Introduced and adopted: February 28, 2011

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**A COUNCIL RESOLUTION CONCERNING**

**In Support of State Legislation – House Bill 781- Crimes - Distribution of Salvia  
Divinorum - Prohibition and Penalties**

FOR the purpose of expressing support for this legislation that seeks to expand a prohibition on the distribution of Salvia divinorum to apply to all persons; urging the Honorable Chair and Members of the House Judiciary Committee to give House Bill 781 a favorable report; requesting the Honorable Chair and Members of the Baltimore City House Delegation to the 2011 Maryland General Assembly to work to secure passage of the legislation; and calling upon the Governor to sign the bill into law.

**Recitals**

Since 2008, the Baltimore City Council has sought to prohibit the possession and use of Salvia divinorum in Maryland. A resolution, which was introduced January 28, 2008, requesting State legislation to ban its use, reported National Institute on Drug Abuse information that Salvia divinorum, popularly known as Salvia, is a herb common to southern Mexico and Central and South America.

The Institute found that people who abuse Salvia generally experience hallucinations or delusional episodes that mimic psychosis. Effects include psychedelic-like changes in visual perceptions, mood, body sensations; emotional swings; feelings of detachment; and importantly, a highly modified perception of external reality and the self, which leads to a decreased ability to interact with one's surroundings – prompting concerns about the dangers of driving under the influence of Salvinorin.

The herb, sometimes called “Magic Mint”, “Ska Maria Pastora”, or “Sally D”, is widely available on the Internet and at some tobacco shops, head shops, and stores selling herbal remedies. Those concerned with its use say Salvia is being marketed and sold misleadingly as producing a high when, in reality, it induces an intense, dreamlike experience that can be unpleasant and frightening to first-time users.

As was the case 3 years ago, “Baltimore City has historically struggled with a substance abuse problem and associated social ills. According to Baltimore City Health Department statistics, in 2005, deaths due to drug intoxication reached there lowest point in 10 years. Deaths due to illicit substances peaked in 1999, with 328 deaths. Deaths decreased by 33.5% to 218 in 2005. Deaths decreased 11%, from 244 in 2004 to 218 in 2005.”

“Currently, Baltimore Substance Abuse Systems (bSAS), the designated substance abuse treatment and prevention authority for Baltimore City, oversees a network of 40 providers that

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

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1 treat 23,000 persons annually. Even so, there remains a substantial unmet need for drug  
2 treatment, and persons are often turned away for lack of treatment slots. To meet this demand  
3 and to reduce the costly health, crime, and social problems that addiction causes, bSAS  
4 calculates that an additional \$15 million a year is needed.”

5 U.S. Department of Justice, *Drug Alert Watch, Salvia Divinorum, March 2, 2010* indicates  
6 that the problem of Salvia abuse persists – Salvia is not regulated by the federal government or  
7 listed under the Controlled Substances Act (CSA). However, 37 states have introduced  
8 legislation that would control the drug to some degree – neither Salvia nor its active ingredient  
9 Salvinorin A has an approved medical use in the United States. The Drug Enforcement  
10 Administration (DEA) regards Salvia as a “drug of concern” because of its wide availability,  
11 potential for abuse, and hallucinogenic effects. As such, the DEA is monitoring reports of abuse  
12 and assessing whether Salvia should be scheduled under the CSA.

13 Although a significant problem with Salvia divinorum has yet to surface in Baltimore City,  
14 banning the herb in Maryland would be a proactive step in preventing our already staggering  
15 drug abuse problem from encompassing yet another avenue to the destruction of personal lives  
16 and community well-being.

17 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this  
18 Body supports this legislation that seeks to expand a prohibition on the distribution of Salvia  
19 divinorum to apply to all persons; urges the Honorable Chair and Members of the House  
20 Judiciary Committee to give House Bill 781 a favorable report; requests the Honorable Chair and  
21 Members of the Baltimore City House Delegation to the 2011 Maryland General Assembly to  
22 work to secure passage of the legislation; and respectfully calls upon the Governor to sign the  
23 bill into law.

24 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the  
25 Governor, the Chairs and Members of the House Judiciary Committee, the Chairs and Members  
26 of the Baltimore City Senate and House Delegations to the 2011 Maryland General Assembly,  
27 the Executive Director of the Mayor’s Office of State Relations, the Baltimore City  
28 Commissioner of Health, the Baltimore City Police Commissioner, and the Mayor’s Legislative  
29 Liaison to the City Council.