

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF  
AMERICA,

vs.

ROGER CUSICK CHRISTIE,  
SHERRYANNE L. CHRISTIE,

Defendants.

CR. NO. 10-00384 LEK

SUPPLEMENTAL  
DECLARATION OF LAURIE  
COZAD, PH. D.

SUPPLEMENTAL DECLARATION OF LAURIE COZAD, PH. D.

I, Laurie Cozad, declare under penalty of perjury as follows:

1. As a Historian of Religion I have come across myriad religious traditions. Some that worshipped a single omnipotent deity, some that worshipped a variety of deities, and some that worshipped objects, animals, the natural environment, and/or mortal men and women. And as a Historian of Religion, I have also come across a wide range of scholars who have attempted to define 'religion'. Durkheim, one of the earliest sociologists of religion, defined religion as "a unified set of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden—beliefs and practices which unite into a single moral community called a Church, all those who adhere to them." <sup>i</sup> Durkheim claims that 'religion' can only happen as part of a collective—not especially

surprising for a sociologist. On the other hand, we have Clifford Geertz, an anthropologist who has his own take on defining what constitutes 'religion:' "(1) a system of symbols which acts to (2) establish powerful, pervasive, and long-lasting moods and motivations in men by (3) formulating conceptions of a general order of existence and (4) clothing these conceptions with such an aura of factuality that (5) the moods and motivations seem uniquely realistic."<sup>il</sup> Geertz is not only an anthropologist but also a social-constructionist who sees the divine as nothing more than a product of the human imagination. Like myself, Wilfred Cantwell Smith is a Historian of Religion and he defines 'religion' as follows: "An overt system of beliefs, practices and values, related to a particular community manifesting itself as the ideal religion that the theologian tries to formulate, but which he knows transcends him."<sup>iii</sup>

2. And in the 20 plus years that I have studied, taught, and published about religion, I have come to understand, like Cantwell Smith, that if a set of beliefs and practices is to be correctly identified as 'religious,' it must incorporate one essential element: it must foreground some sense of the transcendent. Defining "transcendence" is a tricky business all on its own, but if we reduce it to its foundation rather than enumerate its effects one can define transcendence as follows: a means by which human beings access, or gain communion with, the divine.

3. As we look around at religious traditions throughout the world, we see that there are almost as many ways to gain access to what is considered sacred as there are religions. However, many if not most of these traditions require substances to be used ritualistically to allow for communion between a human being and the divine. For the purposes of this declaration, then, those substances used historically to breach the gap between the worshipper and divine reality are defined as "powerful substances". Examples of powerful substances used within a variety of religious traditions include but are not limited to menstrual blood, semen, different parts of animals such as milk, sometimes a whole animal such as a cow or a snake, plants, river water from particular rivers, bones and teeth from saints, and the energy of holy people that is believed to contain power even after the holy person has been interred within a tomb. This is hardly an exhaustive list but it does work to highlight the crucial importance of powerful substances as they are used to provide a portal from the mundane to the sacred and in so doing differentiate religious practices from secular worldviews and ethical frameworks.

4. While some of these substance-based religious practices are quite new, others have been around for thousands of years and more. For example, transmogrifying the body and blood of Jesus Christ from sanctified bread and wine seems ludicrous without understanding the broader religious purpose, namely, to access the omnipotent God. At the same time, removing the bones and teeth of a

holy person who has died seems equally macabre without an understanding of the broader Buddhist context wherein these sanctified relics can protect those who hold them. This list of powerful substances could extend out into infinity, but as our focus is particularly trained on plants (specifically cannabis) and their capacity to bestow a divine disposition in the mind of the worshipper, we next turn to the use of plants as powerful substances.

5. According to Robert Fuller, a Historian of Religion who has studied a wealth of plants used in ritual circles:

Nearly every society in world history has regarded. . . intoxicating plants as having religious significance. Plants provided humans experiences of ecstasy. That is, they take humans beyond the realm of reason and into states of supernatural awareness. The ecstatic states of consciousness induced by intoxicating plants are regarded by almost every culture as having extraordinary powers. Perhaps the most common power attributed to drug-induced states of ecstasy is that they bestow divinatory abilities . . . . And finally, drug-induced states of ecstasy are also thought to be capable of transporting individuals to the spirit world, allowing them to communicate with ancestors and with divinities who influence human health or economic well-being.'

6. Cannabis has a long and distinguished history as a powerful substance; once understood both to effect medicinal healing and to develop a sense of sacred communion. One of the earliest sacrificial uses of cannabis we have on record occurred in China in 100 CE with the rise of alchemical Taosim. In this usage cannabis was believed to reveal the path toward immortality.' In Hinduism, Siva, the liminal god charged with both destruction and fertility is worshipped with

cannabis, and after having been offered the cannabis, his worshippers would imbibe the remainder.<sup>vi</sup> Across the Caribbean, Rastafari's have worshipped cannabis as "the holy herb."<sup>vij</sup>

Rastafari...converts grew their hair in long matter locks by shunning comb and brush, allowed their beards to grow by avoiding the razor, restricted their diet to vegetarian foods and beverages, and refused all stimulates except marijuana, the "holy herb". They proclaimed the divinity of Haile Selassie-I or Jah Rastafari, and believed in the doctrine of redemption to Ethiopia.'

7. And within the western prophetic traditions, Rabbi Aryeh Kaplan describes in *The Living Torah* that one of the ingredients passed down from God to Moses, for making holy anointing oil was *Kenah bosesem*, which he translates as cannabis: "On the basis of cognate pronunciation and Septuagint readings, some identify *Kenah bosesem* with the English and Greek, cannabis, the hemp plant."<sup>ix</sup>

8. Even allowing for its position as a powerful sacred substance across time and across cultures, the religious use of cannabis has been greatly problematized at this point in our history because it does not have a deep institutional foot-hold. Thus, in studying the use of cannabis within a religious context we will employ the term "New Religious Movement" (NRM). The term NRM attempts to mitigate against the fact that almost any nascent religious movement will be characterized pejoratively as its members stray from accepted practices and doctrines and thus threaten orthodox ideas and establishments.

9. Fortunately, one of the excellent resources we have for studying new religious movements is the American Academy of Religion. The American Academy of Religion (AAR) is "a learned society and professional association of teachers and research scholars, the AAR has about 9,000 members who teach in some 900 colleges, universities, seminaries, and schools in North America and abroad. The Academy is dedicated to furthering knowledge of religion and religious institutions in all their forms and manifestations." Being invited to give a paper at the American Academy of Religion's annual conference is a sign affirming one's scholarly work as both important and legitimate; and papers are selected in a blind, peer-reviewed process that ranks and/or selects paper anonymously. In November of 2012, I presented a paper on The Hawai'i Cannabis Ministry on the Religion and Politics Panel. "This Section provides a forum for scholars and professionals interested in the relationships between religion, the state, and political life, both in the United States and around the world." In November of this year (2013), I have been invited to present again on the Hawai'i Cannabis Ministry on the New Religious Movements Panel.

10. The New Religious Movements Group within the AAR "seeks to advance the study of new religions through discussions of theory and method as well as through substantive examination of new religious forms. . . . This group supports and encourages research in all aspects of the study of new religious

movements. We study new religious movements from a variety of methodological and disciplinary perspectives, and find the opportunity to dialogue about our scholarship with fellow academics who share a passion for understanding new religious movements, as well as a desire to make known to a broader audience the importance of such movements (as The Hawaii Cannabis Ministry) for understanding issues of religious tolerance, community building and maintenance, ritual and doctrinal innovation, and other aspects of religious life.x

Roger Christie

11. In 1993, Christie joined Religion of Jesus Church and was ordained as a minister there seven years later in June of 2000. The Religion of Jesus Church is one of the earliest cannabis churches located in the United States. Founded by James D. Kimmel in 1969, The Religion of Jesus Church is a group of like-minded individuals who believe: That God is Our Father and that we are all, the entire human race, one spiritual family that [comprise] as many paths to God as there are people to walk them. That Cannabis is a Holy Sacrament from times of antiquity. That our main religious text is the *Urantia Book*.. . We draw upon many religious texts, including the *Holy Bible*, and many others to establish and verify our religious practices?i

12. After Roger Christie's ordination in the Religion of Jesus Church, he applied to the State of Hawaii Department of Health for a license granting him the

authority to perform marriages. In his application to the Department of Health, Christie clearly noted that he was seeking a license as a cannabis sacrament minister. (See, Declaration of Roger Christie [Docket No. 587-4] at ¶9.)

13. Christie founded The Hawaii Cannabis Ministry in September of 2000. When speaking of cannabis, Christie uses exalted terms and Biblical references. He describes cannabis as a "botanical savior," "capable of saving people from hunger, stress, disease, spiritual and social loneliness, ecological extinction, and poverty". (See, Declaration of Roger Christie [Docket No. 587-4] at 1118.) While the sacramental use of cannabis is unique to a very small group of NRMs, they share two complimentary characteristics with other contemporary NRMs: First, the belief that the individual holds the key to his or her own spiritual well-being. And second, the idea that particular techniques can empower each individual to reach his or her own spiritual enlightenment. As noted by Clarke: "This kind of spirituality takes different forms and includes the use of various techniques such as physical exercises of *t'ai chi* and *yoga*, which are designed to enable the practitioner to access and release the spiritual force that rests with the deepest layers of the self. . . ." <sup>xii</sup> This type of religiosity does not signify that the self is the only source of the divine, but rather that particular techniques allow one to reveal one's own divinity in communion with a higher divinity.



14. In describing the sacramental use of cannabis, Christie states the following:

I believe that Cannabis is a sacrament. St. Augustine defined "sacrament" as "the visible form of an invisible grace." — The budding Cannabis flowers, leaves and fully developed seeds are all sacraments. Each one can deliver invisible graces by reducing stress and promoting happiness, gladness, joy and allowing optimum health to occur.

(See, Declaration of Roger Christie [Docket No. 587-4] at ¶24.)

15. Christie is a meticulous person, and when he writes of cannabis, he always capitalizes it as he does the word *god*. His years in the Religious Science Church also show up in his writings as he always ends an affirmation, wish, or desire with the words 'and so it is,' which in his belief system works to draw positive energy to that wish, and refrains from using words such as no, not, or never replacing them instead with the word 'zero' so as to block the creation of negative energy. His writing also displays a feminist sensibility as he always uses inclusive gender terms, describes the immorality of patriarchy, and often refers to the divine as Godless. What strikes me about the statement quoted above, however, is that it demonstrates Christie's delight with the sacred, especially as he discusses St. Augustine's definition of grace.

16. Born in 1949, Christie has a long history of social activism. After enlisting in the U.S. Army during the Vietnam era, he sought and won an honorable discharge as he was "galvanized into action by the wrongful nature of

the war."<sup>xiii</sup> For many years, he worked to stamp-out the methamphetamine epidemic in his home state of Hawaii, and in 2001 was honored with the first 'Ho'omaluhia Peacemaker' Award for his efforts.'<sup>6</sup>" He is described by his supporters as "a crusader" and "[a] spiritual and political pioneer [who] has heroically broken trail at the evolutionary forefront of the world's most ancient global culture." The "global culture" referred to here is one that utilizes cannabis and hemp in their sacramental applications and myriad product applications including such items as textiles, paper, bio-fuel, and food for humans, animals, and birds.

17. Christie's writing shows that he has a deep interest in Biblical interpretation. For example:

Holy Anointing Oil is a key component of the THC Ministry. Holy Anointing Oil makes things Holy. The ancient recipe, given by God to Moses in Exodus 30:23, was made with myrrh, cinnamon, Cannabis ("fragrant cane"), and cassia infused in olive oil and blessed with prayer. According to Exodus 30:31, this is the sacred recipe to be used throughout all the generations. The THC Ministry makes the Holy Anointing Oil of Moses and the christening oil of Jesus based on the Old Testament recipe. The THC Ministry's Holy Anointing Oil is used for spiritual purposes and has had extraordinary effects on many physical ailments, including gangrene. The word "Christ" means "Anointed One", or "Messiah". Jesus Christ used Holy Anointing Oil to heal the sick and bless people. Mark 6:13.

(See, Declaration of Roger Christie [Docket No. 587-4] at ¶16.)

18. Christie, however, has some back-up from Rabbi Aryeh Kaplan's *The Living Torah* which states the following: "On the basis of cognate pronunciation

and Septuagint readings, some identify *Kenah bosem* with the English and Greek, cannabis, the hemp plant."<sup>xvi</sup>

19. While engaging in Biblical hermeneutics, Christie also enjoys recontextualizing Biblical phrases and ideas, another general characteristic of NRMs as noted by Bromley: "New movement organizations are likely to innovate rather than perpetuate tradition, create new contexts for traditional beliefs and practices. . . . In addition to drawing a continuous line from Exodus in "re-creating" holy anointing oil, Christie points to a number of passages in the Old and New Testaments as referring to Cannabis, such as in Genesis 1:29, wherein God gives to Adam and Eve "every herb bearing seed," and in Revelations 22:2 describing the "tree of life" whose leaves were used to "heal the nations".

20. "The Hawaii Cannabis Ministry — We use Cannabis Religiously and you can too."<sup>xviii</sup> This is the promotional slogan for the THC Ministry and one of many publicly distributed pieces of literature used by Christie and other Ministry members to publicize the Ministry and to attract new members. According to Max Weber, one of the ways in which one develops a new religion into a new religious movement is through the routinization of charisma, in other words, to make the founder's charisma and ideas a routine part of operations.'

### **The Hawaii Cannabis Ministry**

21. In the following pages, we examine the beliefs, ritual practices, scriptural emphases, creeds, sacred days, ministry services, concepts of divinity, and membership obligations embraced by the Christies and members of this church. But beyond this list of established items that might serve to signify an NRM's status as a "legitimate" religion, we will also highlight the small details and quiet acts that, to my mind, particularize the religious sensibility found among the leaders and members of The Hawaii Cannabis Ministry.

22. The THC Ministry operated for more than ten years in the Moses Building on Main Street in Hilo, Hawaii, and services were offered throughout that time openly celebrating cannabis as a sacrament. Cannabis was provided to members and to medical marijuana patients for a donation. The Ministry also offered counseling and guidance, medical cannabis education through their Cannabis College, and cannabis advocacy for those faced with "the problems associated with Cannabis prohibition and discrimination."

23. Over the years, Christie has ordained many other people as THC ministers.

Through the years I have ordained many other individuals as THC ministers. Individuals would contact me who were interested in being ordained. I preferred meeting with people in person to determine their sincerity and to ensure they are appropriate for the ministry.

(See, Declaration of Roger Christie [Docket No. 587-4] at ¶26.)

24. During the time that their headquarter church in Hilo was in operation, Christie officiated at numerous cannabis ceremonies such as weddings, funerals, and baptisms. Share Christie describes these ceremonies: "Big events, weddings—Roger was so good at that and they were always my favorite part. We would throw hemp seeds and tie their hands with hemp material, a hemp shawl. We had funerals and baptisms—so beautiful, and we always had music." In order to protect themselves, they always had a door person who would check to make sure that people coming in had either a THC Ministry membership card or a medical card identifying them as eligible to use cannabis for medical purposes. Share Christie notes:

We asked people to give a donation if they wanted to partake, half the people didn't have the money, and we'd give them shake. . . . We gave thousands of dollars to people in cannabis. And while we never turned people away we used lavender to clean the benches. You know, Roger is a clean-conscious person, and serious street people came in. . . .But one of the things that I find so endearing about Roger is his love of people; he acknowledges them and hears their whole story. Because Roger didn't have kids, the Ministry was his baby.'

25. Christie concludes a number of his dispatches with the THC Ministry creed: "God that's great! Show me the blessings in this situation...and hurry! We are safe, we are loved and all is well. '" And it would appear that this creed has served him well during his time of incarceration. In addition to believing that cannabis is a great gift to be used in achieving communion with each other as well

as the divine and also believing in the efficacy and sacred nature of cannabis-infused holy anointing oil, the THC Ministry exhorts its members to "bless their challenges, find the good in any situation...honor all of God's creation [and] strive to live with modesty, good manners, and humbleness." Finally, the THC Ministry calls on its members for "making and providing Cannabis sacramental for those in need. . .[as] an important part of the THC Ministry's mission."

26. The rules of the Ministry require that members must be over 21-years-old and "must affirm that they will use Cannabis sincerely as part of their religious practice and method of worship."<sup>o</sup> In fact, if you were to be a member of the THC Ministry, ingesting cannabis in one form or another is a required ritual act. "The THC Ministry mandates using Cannabis for all its many spiritual and health benefits including spiritual unity, preventing cancer and reducing stress, promoting laughter and high spirits, enhancing appetite." (See, Declaration of Roger Christie [Docket No. 587-4] at 1121.)

27. Not surprisingly, April 20<sup>th</sup> or 4/20 is the primary sacred day for this church as 4:20 in the afternoon has been designated by cannabis users world-wide as the best time to partake of the herb.' Other sacred days include both solstices and equinoxes, and September 20<sup>th</sup>, the day the THC Ministry was founded.

28. In speaking with former members of the THC Ministry, it was clear that more often than not, "services" consisted of Roger sitting down with one or

two people at a time, anointing them, talking to them about what was going on with their lives, and supplying them with cannabis. For example, according to a former member, "If people had a problem with their family or something, Roger would give them moral support. ¶<sup>il</sup> Two other former members shared their thoughts as follows:

Adelle: I'm in the catering business, and at one point we were looking to collaborate in holding ethical/green events. He did these green weddings so we thought we could collaborate—do things through the Ministry, and I was about to put up something about our partnership on the internet when he was arrested. He's just a genuine, sincere, spiritual, kind person. Everybody would have the ritual, where Roger would put a drop of holy anointing oil on their forehead. He would tell you what kind of legislation had passed, events going on, and we would pray. Sometimes there would be ten people at a time waiting to go in—it could be quite a wait. But you could look at posters or literature, nobody minded waiting. Some people were obviously homeless, some were sick, some looked affluent, all ages. They did have a room set up as a chapel—a chapel room. That room wasn't finished until a few months before his arrest. That place took all of his time. ¶

Molly: In my experience, people lined up to enter his premises, and it was a one on one situation where people would partake of what he had to offer. You would be lined up or sitting in chairs and you'd have a one on one encounter with Roger or one of his staff. Roger would come down the line and he would anoint people. There was no distribution there. What Roger did was provide a service, and there was never any problem he was always up front. He would say 'I have a legal reason, a right to practice my religion.' "

And according to Share Christie: "Most of our gatherings were informal with a handful of people. Roger felt much more comfortable in small groups."

29. According to Nan, a member of THC Ministry, Roger Christie did not have a lavish lifestyle. The fact that "Roger was treated like a drug king pin is

ridiculous. He lived like a normal guy. Roger wasn't wealthy. He gave back to the community. He was a humble kind of guy. When he was arrested, he only had about \$20,000 counting the bonds in his safety deposit box—that was what he had for his life's work. ''

30. A new Ministry, even if above reproach, "share[s] as a product of [its] newness social and cultural marginality and, as a result, [is] likely to enlist few allies but [is] likely to generate determined opponents.' This is especially clear when one examines the Government's "Memorandum in Opposition to Defendants Roger Cusick Christie and Sherryanne L. Christie's Motion in Limine to Present Religious Freedom Restoration Act Defense," and the way it contextualizes both Roger and Share Christie and their Ministry. I have reviewed this entire Memorandum. The government is attempting to place a frame around their activities that quite simply, does not fit. The frame the government is placing around the Christie's activities and the THC ministry is as follows: (a) They are not a religion with a coherent belief system; (b) They had no rules in relation to the Ministry; (c) They ordained ministers **merely** for protection from prosecution; (d) The Christie's were all about making money; (e) They marketed their Ministry merely as a sanctuary for those who would be prosecuted for cannabis use; (f) Christie's belief system did not restrict cannabis use to only the Ministry; (g) Their



Express Service was painted as a sham; (h) The Christies have been accused of insincerity. I address these charges in the order listed above.

- a. The Hawaii Cannabis Ministry is a religion. It incorporates a clear, thoughtful dogma, especially in relation to the Holy Anointing Oil of Moses, it includes rituals in support of that dogma, creeds, a gathering place, regular meetings, ministerial services, ministerial counseling with Roger Christie—someone who has a deep and rich understanding of the Bible, a community, membership obligations, rules, and a commitment to gain communion with divinity. In addition it provided services such as weddings and baptisms.
- b. Christie's ministry had rules: you had to join the Ministry or have a medical marijuana license to receive the sacrament; you had to use cannabis and be sincere in your sacramental usage of cannabis; and if you wished to join, you had to make an initial appointment to speak with Roger: "Roger was always pretty open, but you had to make an appointment where Roger would explain the Ministry, give a person a chance to join, and give them a chance to learn. You could have an open door or be private, and Roger had a bunch of books on religion, herb, cannabis; people would send them to Roger. ▼"
- c. The THC Ministry processed members and ordained new ministers. This, to my mind, is one of the strongest facts in opposition to the federal government's claims: What kind of drug dealer is attempting to help other

people become drug dealers? It makes no sense to grow your own competition. With regard to the government's argument that the THC Ministry was not a religion because it was easy to become a new member, it must be noted that in the western Protestant traditions one of the church's most important goals is to bring in new members. Like THC Ministry, there are no rules, regulations or tests required of new members. One merely has to announce one's desire to become a member of the church and then the church would regard that individual as a member.

- d. A church can only exist if its members give offerings, tithes, donations, in other words money. Just like any non-profit institution churches need to cover their overhead expenses. For example, every church pays their ministers and employees, and must cover their operating expenses. Moreover, whenever a ministry of any denomination performs ritual services (e.g, weddings, baptisms and funerals), the minister is always compensated for his services. However, very few church/synagogues or temples are attempting to help their members save money. Close to the time of their arrest, both of the Christies were attempting to bring the cost of their sacramental cannabis down by having members grow it without having to go to the Black Market. In call number 269 on 4/17/09, Christie states "So my, you know, my tags and, I'm taking responsibility for it, because I think I can

here. I think it's actually more in-integrity for the ministry to provide its own herb than to buy it off the black market." [See Docket No. 615-1.] And in the same phone call, "it's, it's sanctified herb from the beginning, you know, it's, it's it's just you know they just will not sell on the black market, is, is the arrangement, it's only for the Ministry." [See Docket No. 615-1.] And regularly, the Christies gave away sacramental cannabis for free in the form of Aloha Bags, because, according to one member, "if you did not have the money, he would give you pot."<sup>iv</sup> And as noted above, the Christies had a very simple life-style; neither had any of the accoutrements or the rewards of a drug operation. Finally, making cannabis available to those who needed it for spiritual and/or medical reasons was a community service and one of pastoral care.

- e. The fact that their ministry provided a safe environment to consume cannabis does not undermine the religious nature of the Ministry. As demonstrated by the above list, THC Ministry provided a lot of services, and providing "sanctuary" was one of them. In fact, the role of the church since the Middle Ages has been to provide a haven for those who needed protection for problems as varied as the realms of politics, religion, and/or economics. On a more micro-level, the sanctuary kits functioned in the same way as they provided a safe haven for people faced with "the problems

associated with Cannabis prohibition and discrimination.' As listed, however, the Ministry supplied many things above and beyond "sanctuary." They counseled people, held communion services, brought together a community of like-minded people who shared a particular understanding of the divine, and provided weddings and baptisms.

- f. The government's position reflects fundamental misconceptions about religion. While some religions have holy spaces such as Notre Dame, other religions consider the whole world a sacred space as in many of the Native American traditions; furthermore, some religions such as Hinduism site some places as being particularly holy such as the Ganges River, while others such as Chan/Zen Buddhism challenge any concept of "sacred space" as everything in mundane reality is in a constant state of flux.
- g. The institution of the Express service did not undermine the fact that ministerial services were still being provided by Roger Christie. In fact, the Express service was a necessary component of the Ministry as Roger got very busy with members who wanted to sit down and be counseled by him. Members still wanted to sit down with Roger for a variety of reasons: one member was writing a screen play with Roger, another wanted to start catering the Ministry's green weddings, and others wanted to talk to someone who cared. Cared like Roger did, as someone who would store a

homeless person's suitcase during the day for them; as someone who would trade sacrament for pickled mangos or jars of olive oil; as someone who would pray and counsel someone who had just found out he had a rare form of cancer; as someone who would waive the donation and take the time to bless a new member; as someone who would counsel someone who was hurting, and remind him that he (Roger) would help them "turn any bummer in your life into a blessing." Reminding the caller also of the importance of the creed: "God that's great! Show me the blessings in this situation.. .and hurry! We are safe, we are loved and all is well.' Every instance stated here is an actual occurrence not merely an example.

h. In 1965, in *United States v. Seeger*, the Court, working from the theological writings of Paul Tillich, "articulated a 'functional test' that examined whether a 'sincere and meaningful' belief 'occupies a place in the life of its possessor parallel to that filled by the orthodox belief in God.' " **And if** deemed "sincere," one would be judged as operating within a religious framework. Tillich, a former professor of the University of Chicago, my alma mater, was attempting to broaden our definition of religion beyond an "orthodox belief in God" in order to serve a broader swath of society; for we know that one of the main differentiating features across religious practices is the unique and particular manner in which divinity is understood. So

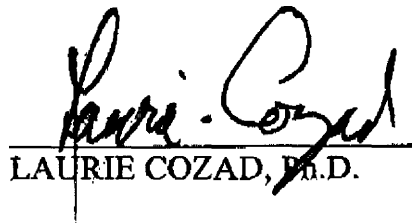
Tillich restructured the terms of the debate to remove emphasis from the God-head to the relationship of worshippers to their object of worship. And that is where we get the sincerity test. The Christies certainly appear to have their own sincere and unique spiritual commitments when it comes to Cannabis. Share Christie sees it as the "Tree of Life," and Roger describes cannabis as a 'botanical savior,' one that is capable of saving people from hunger, stress, disease, spiritual and social loneliness, ecological extinction, and poverty. (See, Declaration of Roger Christie [Docket No. 587-4] at 1f18.) However, because it is impossible to discern anyone's inner landscape, the only way that we can actually know if someone is sincere, is if their practices reflect their belief system. As one can see by the preceding pages, the Christies' actions were very much in line with their beliefs. And I am persuaded that if cannabis were made legal and the Christies were free to operate safely out in the world, Roger and Share Christie would maintain their church, their beliefs, and their practices for their own benefit and the benefit of their congregation.

31. After having reviewed the Government's Memorandum [Docket No. 603], it remains my assessment that: (a) the THC Ministry's beliefs and practices mandated that the Ministry cultivate cannabis sacrament plants and distribute it to its members and medical marijuana patients; (b) since Roger Christie was the

founder and leader of this Ministry, and since Sherryanne Christie was ordained in the Ministry and helped Roger Christie manage the Ministry, their religious beliefs and practices mandated that they cultivate cannabis sacrament plants and distribute it to Ministry members and medical marijuana patients; and (c) prosecuting Roger and Sherryanne Christie on charges related to manufacturing and possession with intent to distribute marijuana substantially burdens their exercise of religion.

Laurie Cozad, do hereby declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

DATED: Sandwich, Massachusetts, July 7, 2013.

  
LAURIE COZAD, Ph.D.

---

<sup>1</sup> Durkheim, *The Elementary Forms of Religious Life*, (Oxford: Oxford World Classics, 1912).

Geertz, *Religion as a Cultural -System*, (London, Tavistock, 1985).

wilfred cantweti Smith, *The Meaning and End of Religion* (Minneapolis: Fortress Press, 2002).

Fuller, *Stairways to Heaven* (Boulder; Westview Press, 2000, pgs. 3.4).

"Earleywine, *Understanding Marijuana* (Oxford: Oxford University Press, 2002, pg. 18).

<sup>41</sup> *Ibid.*

<sup>42</sup> Hamid, *The Ganja Complex* New York: Oxford, Lexington Books, 2002, pg. 75).

<sup>vm</sup> *ibid.*

<sup>4</sup> Kaplan, *The Living Torah* (New York: Maznaim Pub, Corp., 1981) Kindle edition.

<sup>x</sup> [aarweb.org](http://www.aarweb.org)

<sup>43</sup> [http://www.ikipOia.org/w/ingax.php?title=James\\_D\\_Kimmel&oldid=51M2222](http://www.ikipOia.org/w/ingax.php?title=James_D_Kimmel&oldid=51M2222) accessed 11/9/12.

<sup>xj</sup> Clarke, ed., *Encyclopedia of New Religious Movements* (London: Routledge, 2006) Kindle edition,

Taken from THC promotional literature.

<sup>miu</sup> Reverend Roger Christie was named as the first Ho'orrialuhia Drug Policy Award recipient in 2001, given by the Drug Policy Forum of Hawaii for 'achievement in the development and advancement of rational and humane drug policies."

<sup>xn</sup> Paul von Hartmann Editorial in the *Orange County Register*, 3/12/12.

---

<sup>xv</sup> Kaplan, *The Living Torah* (New York: Maznaim Pub. Corp., 1981) Kindle edition.

<sup>xvi</sup> Bromley, ed., *Teaching New Religious Movements* (Oxford: Oxford University Press, 2007).

<sup>xvii</sup> Taken from THC Promotional literature.

<sup>xix</sup> Weber, *Sociology of Religion* (Boston: Beacon Press, 1993).

<sup>xx</sup> From THC promotional literature.

<sup>xxi</sup> Phone conversation with Share Christie, 9/12/12.

<sup>xxii</sup> *Ibid.*

<sup>xxiii</sup> From THC promotional literature.

<sup>xxiv</sup> *Ibid.*

<sup>xxv</sup> *Ibid.*

<sup>xxvi</sup> "What 420 Means: The True Story Behind Stoners' Favorite Number," *Huffington Post*, 4/20/09.

<sup>xxvii</sup> Phone conversation with Tom, THC Ministry member 11/6/12.

<sup>xxviii</sup> Phone conversation with Adelle, THC Ministry member, 11/6/12.

<sup>xix</sup> Phone conversation with Molly, THC Ministry member, 11/12/12.

<sup>xxx</sup> Phone conversation with Share Christie, 9/12/12.

<sup>xxxi</sup> Phone conversation with Nan, THC Ministry member, 11/13/12.

<sup>xxxii</sup> Melton quoted in Bromley, *Teaching New Religious Movements* (Oxford: Oxford University Press, 2007).

<sup>xxxiii</sup> Phone conversation with Les, THC Ministry member, 11/7/12.

<sup>xxxiv</sup>

<sup>xxxv</sup> From THC promotional literature.

<sup>xxxvi</sup> From THC promotional literature. All the able situations are documented in the following recorded telephone calls (Call Number 3072 (04/24/09); Call Number 7815 (06/18/09); Call Number 7720 (06/17/2009); Call Number 7811 (06/18/2009); Call Number 9946 (07/15/2009).).

<sup>xxxvii</sup> M.E. Bergeron, "New Age' or New Testament?: Toward a More Faithful Interpretation of Religion," *St. John's Law Review* 65:365.