

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF
AMERICA,

vs.

ROGER CHRISTIE

Defendant.

CR. NO. 10-00384 LEK

DECLARATION OF ROGER
CHRISTIE

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I, Roger Christie, hereby declare as follows:

1. I am a Defendant in the above-captioned case. The facts and statements set forth below are true and correct to the best of my knowledge and belief.

2. The First Superseding Indictment in the present case charges me, *inter alia*, with: (1) conspiracy to manufacture, distribute and possess with the intent to distribute 100 or more marijuana plants, (2) manufacturing marijuana, i.e., approximately 284 marijuana plants, (3) possession with the intent to distribute approximately 284 marijuana plants, and (4) maintaining premises for the purpose of manufacturing and distributing marijuana.

3. I pray and intend to raise a defense under the Religious Freedom Restoration Act at trial in this case and prevail. Based on my morality, sincerity,

and legitimacy, the following is an explanation of my religious beliefs.

4. I was ordained as a minister of the Universal Life Church in Modesto, California in October, 1972.

5. I was a member of the Religious Science Church in Hilo from 1986 – 1993. The Religious Science Church leaders used Cannabis, but would not go so far as to recognize it as a sacrament.

6. I joined the Religion of Jesus Church (“RJC”) in Hilo in 1993 and was ordained as a minister in June, 2000. Members of the RJC use Cannabis as their spiritual sacrament. It was important to me that RJC had the courage to claim Cannabis as their sacrament. Members would meet on Sunday mornings to read the Urantia Book and use Cannabis as they discussed spiritual topics, especially the life and times of Jesus. If members needed sacrament for the week, they could make a donation and receive sacrament (i.e., Cannabis) from the minister who grew it for members only. In 1997, the State of Hawaii stipulated in a criminal case brought against Dennis Shields that the Religion of Jesus Church is a bona fide religion and that Dennis Shields was sincere in his belief regarding the use of the marijuana as part of his religious worship. The stipulation is attached as Exhibit “1”. The RJC was founded by Pastor James Kimmel. His church was based out of Maui, where he had a church farm. I was mentored with brotherly love by Pastor Ray Christl, and Reverend Jonathon Adler (deceased).

7. In 1995, I applied to be ordained in the “I Am Church of the Universe” in Canada to support their Cannabis sacrament congregation. Members of the congregation lived in a commune and used Cannabis quoting the Bible’s references of Cannabis hemp being the “tree of life.” One of the members of the congregation, Chris Bennett, has written about Cannabis being the *kaneh bosem* or “fragrant cane” in the sacred Old Testament recipe for the Holy Anointing Oil in Exodus 30:23.

8. In June, 2000, RJC asked me to become a minister. I felt I was ready to become a minister. I believed this was the perfect job for me. It was a way for me to be with people in a professional way and to help out the community. To become ordained as a minister I had to prove that I was a sincere believer of the RJC’s principles, which I did over the course of seven years. RJC gave me a “letter of good standing.”

9. In 2000, after ordainment as a minister in the RJC, I applied for a license from the State of Hawaii, Department of Health, requesting authority to perform marriages. In my application to the Department of Health I specifically stated that I was seeking a license as a “Cannabis Sacrament Minister”. I received my license from the Department of Health (license number 00-313) in June, 2000. I became a practitioner, licensed to administer the controlled substance Cannabis in my professional practice. A copy of my license is attached

hereto as Exhibit 2.

10. In September 2000, I founded The Hawaiian Cannabis Ministry ("the THC Ministry") in Hilo to share my ministry with like-minded people in my community. The THC Ministry was created for the purpose of building a community wherein Cannabis could be celebrated as a sacrament.

11. The THC Ministry is a universal religious organization that uses Cannabis to exalt consciousness, facilitate harmony, and become close to God and nature and each other. Realizing our oneness with nature and each other helps us to realize our oneness with God. We invite people from all walks of life, all religions and backgrounds, to join us.

12. The beliefs of the THC Ministry are as follows:

- (a) Cultivation and enjoyment of Cannabis sacrament is a fundamental human right provided by God and protected by the United States Constitution;
- (b) Sacramental use of Cannabis opens the mind, frees the soul and releases the body to commune with God and balance itself;
- (c) Cannabis has been used for millennia as a sacrament by spiritual seekers and is the original sacrament of Hebrew, Muslim, Christian, Hindu, Shinto, Buddhist, Rasta and other religions;
- (d) Cannabis is the Tree of Life, given to humans by God for food,

shelter, clothing, fuel, medicine, sacrament and much more;

(e) Cannabis was given by God to help humans find answers to fundamental questions about the meaning of life and their place in it;

(f) The use of cannabis is a God-given right, as told to us in the Bible in Genesis 1:29 in which it says, Then God said "I give you every seed-bearing plant on the face of the whole earth and every tree that has fruit with seed in it. They will be yours for food.";

(g) Cannabis was originally planted on Earth at Baalbek, Lebanon to make the liquid sacrament known as elixir of vitality. It became known as soma and haoma; and

(h) Cannabis fosters a spirit of harmony and compassion among people. It is the sacrament of the peace culture.

(i) Our religion does not believe in circumcision

(j) Our religion does not believe in going to war.

(k) Our religion believes in the consumption and use of organic foods and hemp-oil soap. Our Ministers are also required to use a hemp-clothed shawl for ceremonies and prayer.

13. Holy Cannabis sacrament is used by THC Ministry members for prayer, meditation, worship, nutrition, healing, and fellowship. Cannabis is used in

formal rituals, including baptisms, weddings and funerals. Holy Anointing Oil, made according to the recipe given to Moses, is used to bless and heal. Making and providing Cannabis sacramentals for those in need is an important part of the THC Ministry's mission. The THC Ministry teaches members to bless their challenges, find the good in any situation and to honor all of God's creation. Members of the THC Ministry should strive to live with modesty, good manners and humbleness.

14. Revelations 22:14 says that blessed are those who have done the commandments that they may have the right to the tree of life. I believe I have the right to the tree of life.

15. "Christian" literally translates to "anointed one." We think this means to literally be anointed with the Holy Oil.

16. 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.

17. The Bible defined my beliefs well in Luke 4:18 when is said, “The spirit of the Lord is on me, because he had anointed me to preach good news to the poor. He has sent me to proclaim freedom for the prisoners and recovery of sight for the blind, to release the oppressed, to proclaim the year of the Lord’s favor.”

18. I believe that Cannabis is a “botanical savior”. I believe it is capable of saving people from hunger, stress, disease, spiritual and social loneliness, ecological extinction, and poverty.

19. I believe that an individual holds the key to his/her own spiritual well-being, and that particular techniques can empower each individual to reach his/her own spiritual enlightenment.

20. There are both physical and spiritual benefits of Cannabis. However, I believe that the laws surrounding medical cannabis are an obstacle to its *sacramental* use.

21. The *sacramental* use of Cannabis provides for preventative health care. As part of the THC Ministry it is mandatory to eat Cannabis hemp seeds. Fresh, fertile hempseeds are best. I believe it is necessary for individuals to use Cannabis *first* in order to develop one’s thoughts, feelings and ideas of spirituality

and religion. (For example, first Moses met God in the smoke and fire of the “burning bush”, *then* he had a notion of what/who he was dealing with.) I believe that Cannabis is to the THC Ministry as the burning bush was to Moses in the Bible, the gateway to God.

22. 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, etc. By facilitating communion with the Divine, sacramental use of Cannabis helps us manifest our Divine nature, which includes manifesting health benefits.

23. Cannabis use has helped me to develop my personal spirituality. The good people of America need the freedom to use Cannabis, or not, in order to have religious freedom.

24. 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.

25. I seek to share the good news that in using Cannabis, one can achieve communion with the Divine. The effects of using Cannabis are frequently referred to as “getting high.” “Getting high” is a spiritual term. When you use Cannabis

you get lifted up to a place where you have a direct connection with spirit and God. It makes you feel that God really loves you.

26. 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.

27. I have officiated at numerous Cannabis ceremonies such as weddings, funerals, and baptisms. For a while, the THC Ministry ran a bed and breakfast in Pahoa named "The Sanctuary". I performed Cannabis sacrament weddings at The Sanctuary. The State of Hawaii knowingly licensed me to perform marriages as a Cannabis sacrament minister. As such, I needed to grow, cultivate, manufacture, possess, transport, and distribute marijuana in order to marry individuals as stated in the license issued to me by the State of Hawaii, Department of Health. There is no challenge to the legitimacy of my license. In fact, in 2004, Alvin Onaka confirmed the legitimacy of my license in *U.S. v. Barnes*. I am a state licensed practitioner of Cannabis sacrament.

28. As part of the THC Ministry, I used Cannabis at the request of members of the THC Ministry in weddings, baptisms and funerals. In weddings, hemp seeds were thrown in the air to bless the couple's fertility and their future hemp crop. I used hemp rope to "tie the knot" around the couple's hands to

symbolize binding the two individuals together as a couple. I would then bless the couple with Holy Anointing Oil placed on the pulse points of their inner wrists as well as the crown of their heads. I offered the couple tiny drops of Cannabis tincture on their tongues. After the service, Cannabis would be used by the couple (who were members of the ministry) and their guests who were members of the ministry. Couples would take Cannabis on their honeymoon as an aphrodisiac and for fertility, as the Ministry believed in the use of cannabis for enhanced sacred sexuality. In baptisms I would guide the member through his/her use of Cannabis for the first time. In funerals, Cannabis has been used to lift the spirit of the members as the smoke rises to Heaven.

29. The THC Ministry is located in the Moses Building at 94 Kamehameha Highway, in Hilo, Hawaii. I was guided to the Moses Building by God after I helped to heal a member of the THC Ministry of a debilitating physical ailment. The member was so grateful that he gave me the keys to his leased space in the Moses Building and I took over the lease.

30. The Moses Building was the Sanctuary of the THC Ministry. It was sacred to THC Ministry members. It was a place where members could feel safe to use Cannabis spiritually. Only members were allowed in the Sanctuary. There was a doorman on duty at the entrance to the Sanctuary to welcome members and check identification cards. Prior to entering the Sanctuary a member must wash

his/her hands with hemp soap to ensure cleanliness. "Cleanliness is close to godliness."

31. It was in the Moses Building where I made the Holy Anointing Oil of Moses. I also made Cannabis tinctures (liquid drops of alcohol or non-alcoholic solution mixed with Cannabis) at the Moses Building. The tinctures were made by myself and my wife, Sherryanne L. Christie. We practiced a method of shaking the tinctures, like a homeopathic remedy, to ensure that our personal energy was infused in the tinctures.

32. Most of the Sunday Services were held at the Sanctuary at the Moses Building. Occasionally, like on Christmas or on April 20 (4/20), when there were large gatherings, service would be held in a bigger room in the Moses Building on the ground floor.

33. Precluding members from using the Sanctuary in the Moses Building in essence would equate to precluding our members from practicing their religion. The Sanctuary was not just a room, it was sacred space.

34. I believe that Cannabis is a great gift to be used in achieving communion with each other as well as the divine. Spiritual unity is like harmony. It is like singing. You know when you have attained it. When you achieve such communion something greater has been achieved. "Feeling good is feeling God."

35. I believe in the effectiveness and sacred nature of Cannabis-infused

Holy Anointing Oil. As part of the THC Ministry I made Holy Anointing Oil infused with Cannabis. As well, I made other tinctures with Cannabis as part of my religious beliefs and practices. As such, the THC Ministry required sufficient amounts of Cannabis to make Holy Anointing Oil and tinctures. The Bible recipe for making one batch of Holy Anointing Oil says “250 shekels” of “fragrant cane” (Cannabis) which I believe weighs approximately six pounds.

36. The THC Ministry calls on its ordained ministers for making and providing Cannabis sacramental for those in need. This is a very important part of the THC Ministry’s mission. For example, this is why the THC Ministry supplied cannabis to medical cannabis patients. No truly religious person would turn a blind eye to those in need.

37. To be a member of the THC Ministry or part of a ministry family one must be over 21 years of age and must affirm that he/she will use Cannabis sincerely as part of his/her religious practice and method of worship. To be a member of the THC Ministry, one must ingest Cannabis in some form. The most important requirement to being a member of the THC Ministry was that the member was sincere in his/her use of Cannabis for religious purposes.

38. Prior to obtaining the lease to the Moses Building, I operated the traveling THC Ministry at the Hilo Farmer’s Market on Wednesday and Saturday mornings, and the Pahoa Farmer’s Market on Sunday mornings from

approximately 2000-2004. Once the ministry moved in to the Moses Building, all of the ministry's practices were centered in the Sanctuary.

39. Through the THC Ministry I provided ministry services (counseling, fellowship, confession, prayer, meditation, redemption, weddings, funerals, baptisms) and Cannabis sacraments to THC Ministry members and legal medical marijuana patients.

40. April 20th or 4/20 is the primary sacred day for the THC Ministry. Other sacred days include both solstices and equinoxes, and September 20th, the day the THC Ministry was founded.

41. Fresh, fertile Cannabis hempseeds are a sacrament of the THC Ministry. Members would eat the hempseeds as high-quality nutritional food. Members also juiced Cannabis leaves and flowers for health benefits exceeding nutrition. It is the belief of the THC Ministry that an individual's physical health should be taken care of first so he/she can spend time in healthy relationships with others. Healthy relationships bring us closer to God. Hempseeds are used to cultivate more Cannabis plants for the THC Ministry.

42. The THC Ministry held regular Sunday services. The typical Sunday services started with a welcome period where members made a circle and offered introductions. Everyone had to speak-up and introduce themselves and say why they were there. Part of my purpose was to weed-out, so to speak, any visitors or

members who seemed insincere. I would then make announcements including any new information on Cannabis, medical marijuana, or the legal status of Cannabis, and proceed with a history story of Cannabis sacrament use around the world, a group prayer, and the lesson of the week. Then it was time for communion. For members, I distributed Holy Anointing Oil infused with Cannabis and explained what the sacraments were made with, as well as how they were made and blessed. I would go around the circle with my two bottles of Cannabis tincture. I would offer just one drop of tincture on the tongue to each participant. Then I would go around the circle one more time with Holy Anointing Oil. I applied a few drops to both inner wrist "pulse points" and asked people to rub their wrists together slowly. Then I would apply about one-third of an eye-dropper of Holy Anointing Oil to their crown chakra and ask them to gently rub it in. As I did this I would say, "may all of your very best dreams come true," a purposefully generic blessing. Once everyone had been tinctured and anointed we would sit in meditation for a few minutes to enjoy the experience and feel the feelings that developed. We would often play music during meditation, something soothing, and sometimes the congregants would sing together, chant, or focus on their breathing. The last sacrament of the service was the volcano vaporizer with Cannabis flowers heated with a pinch of calamus root powder together. We passed the large clear inhalation bag around the circle and I would refill it as needed. We would sit in silence for a

while, and then go around the circle offering prayers, good wishes, or songs. After a few minutes we would stand, hold hands and I would offer a final blessing for the group. After services, members would gather to drink hempseed coffee, eat and talk. Sunday service was approximately 2 hours in duration.

43. On June 1, 2009, I was made an official Cannabis medicine man of the Oklevueha Native American Church. The leaders of the Okelvueha Native American Church taught me about their beliefs and practices, and I did the same for them concerning the beliefs and practices of the THC Ministry. We learned that the beliefs and practices of the two religions included the use of cannabis as a sacrament. On June 1, 2009, the THC Ministry also began serving as the Oklehueva Native American Church of Hilo.

44. I consume, possess, cultivate and distribute Cannabis as sanctioned and required by my legitimate religion and sincere religious beliefs as a member of the THC Ministry. The consumption, possession, cultivation and distribution of Cannabis are essential and necessary components of the THC Ministry.

45. The threat of civil and/or criminal liability for my consumption, possession, cultivation and distribution of Cannabis as required by my legitimate religion and sincere religious beliefs substantially burdens my ability to practice my religion.

46. Although not all members were located on the Big Island of Hawaii,

roughly about 2000-3000 members did reside on the Big Island of Hawaii. Of those members, the ministry would provide sacrament to approximately 200 to 400 members in a month's time.

47. As part of the THC Ministry I disbursed no more than 1 ounce of Cannabis to a member of THC Ministry or a legal medical marijuana patient at a time. After disbursing 1 ounce to a member/patient it would be at least two to three weeks, and most times longer, before that same member/patient would get another 1 ounce of Cannabis from me. Non-members were not allowed in the Moses Building. I employed an individual to check identification cards and ensure that each individual entering the Sanctuary was a member of the THC Ministry or a legal medical marijuana patient. I only disbursed Cannabis to individuals in Hilo.

48. There was only one occasion when I disbursed more than 1 ounce of Cannabis to a member, and that was when the undercover DEA agent, whom I had ordained as a minister, asked for more than the usual 1 ounce because he lived on Oahu and did not want to have to travel back to Hilo.

49. With regard to my disbursement of Cannabis to legal medical marijuana patients, I felt I was being a good Samaritan by providing with a safe and consistent source of Cannabis for these people in need. The beliefs of the THC Ministry mandated that I help these people. By coming to the ministry for

Cannabis, these patients avoided having to interact with drug dealers. I would bless their sacrament, label it as such, and invite them to participate in our ministry and attend an orientation.

50. Members of the general public could not access the THC Ministry's supply of Cannabis. I monitored who received Cannabis and blessed it before it went to members and medical marijuana patients.

51. I have had open, honest, and on-going communication with members of Hawaii Island's and the federal government's law enforcement agencies related to the activities and philosophies of the THC Ministry through the years of its existence. I communicated openly with members of Hawaii County Police Department's vice squad, and community police officer William Derr. I also had a conversation about the THC Ministry with DEA Special Agent Jesse Forney, and former DEA Administrator Asa Hutchinson. I also discussed the activities of the THC Ministry with then U.S. Attorney Edward Kubo on two separate occasions. One of the occasions when I met with Mr. Kubo, I set up a table with all my material fully explaining the THC Ministry, its beliefs and practices, including the religious use of Cannabis. I also had conversations about the THC Ministry with former Mayor of Hawaii County Harry Kim, current Mayor Billy Kenoi, Corporation Counsel Lincoln Ishida, and the late Senator Daniel Inouye. I was in contact with Prosecuting Attorney Mitch Roth, and Hawaii County Police Chief

Harry Kubojiri. In the almost ten years of the THC Ministry's very public existence, I was never informed by any of the above individuals or any law enforcement agency that they were concerned with the practices and beliefs of the THC Ministry until the raid by the DEA in March, 2010.

52. I worked with the Hawaii County Council to develop rules they adopted for the Hawaii County Police department to follow when dealing with an individual who asserts a religious right to grow and possess cannabis.

53. All of the above mentioned beliefs of the THC Ministry were shared with all members, including Sherryanne L. Christie. Sherryanne L. Christie became a member of the ministry and was eventually ordained as a minister.

54. The Cannabis grown on the farm operated by Susanne Lenore Friend and Timothy M. Mann was grown for the purpose of supplying only the THC Ministry with Cannabis. It was my understanding that all Cannabis grown by the farm was for the THC Ministry's sincere religious beliefs and practices. Both Ms. Friend and Mr. Mann were members and ministers of the THC Ministry. It is my belief that Ms. Friend and Mr. Mann were sincere believers and practitioners of the THC Ministry's beliefs and practices. I believed that they were growing Cannabis to be used as sacrament for the THC Ministry. It is my understanding that the cannabis plants grown at this farm for the THC Ministry were grown and kept indoors in a secure facility not accessible to the public.

55. Cannabis is the most widely used spiritual / religious sacrament in human history. As such, it must be allowed for sincere religious use in the only country founded in part on the principle of religious freedom.

56. I, Roger Christie, do hereby declare under penalty of law that the foregoing is true and correct to the best of my knowledge and belief.

Dated: Honolulu, Hawaii, April 1, 2013.

/s/ Roger Christie
ROGER CHRISTIE