



Casey William Hardison

Clemency for Deadheads and Others In Prison for Non-Violent Drug Offenses

CASEY WILLIAM HARDISON

In 2000, I was arrested in the United Kingdom in 2004 for the production of LSD, 2C-B, and DMT. At trial I argued that I was responsible but I could not be made guilty by statute for actions that were intrinsically innocent, when viewed from the lenses of Cognitive Liberty (the freedom to alter one's own mental functioning as one sees fit) and Equal Rights (with respect to alcohol and tobacco producers, suppliers and users). Although my arguments failed to persuade the Judges, my time felt easier as I had stood by my principles.

In prison I became increasingly aware that there were many psychedelic alchemists in prison who, like myself, were serving disproportionately long sentences. Some were even serving multiple life sentences, despite having harmed no one. Thankfully, I had an idea when I was going to get out and I had long since committed to doing whatever I could to help educate the world about the principles of Cognitive Liberty and the injustices of the War on some people who use some Dugs. To this end, shortly after my release, I was interviewed by Brad Burge of MAPS about my experiences inside. This interview was published in the Spring 2014 MAPS *Bulletin*.

For a while, whilst reuniting with the free world, I thought little about the other psychedelic prisoners still behind bars. I spent as much time in the wilderness as possible. But through social media, I was repeatedly reminded that there were so many languishing in the “gulag archipelago” for nothing more than enabling people to experience different states of mind with psychedelic drugs. One person in particular kept coming to my attention: Timothy Tyler. Today as I write this he has spent over 22 years in prison. I pray he never spends another birthday in prison.

THE INVITATION

In June 2015, MAPS' founder Rick Doblin contacted me asking me to create and lead a Change.org petition asking President Obama to grant clemency to the many Deadheads and others serving long sentences for non-violent drug-related offenses. The petition was inspired by MAPS' selection as one of the non-profits showcased at all five of the Grateful Dead's 50th Anniversary “Fare Thee Well” reunion shows in Santa Clara,

Calif., and Chicago, Ill. I leapt at the opportunity. It was right up my alley, as I had previously attempted to create a petition movement in the summer of 2000 asking President Clinton to pardon all non-violent drug offenders by the end of his term.

Clemency, a policy made famous by the Roman emperor Julius Caesar, means the forgiveness of a crime or the cancellation (in whole or in part) of the penalty associated with it. It is a general concept encompassing several related procedures: pardoning, commutation, remission and reprieves. In short, a reprieve grants lenience but does not relieve guilt whilst a pardon is both. The President of the United States has these powers:

The President...shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.—United States Constitution, Article II, Section 2, Clause 1

While developing the petition we had many conversations about whether focusing on Deadheads and others in jail for psychedelics would exclude those in jail for other drug-related crimes, or whether highlighting the Grateful Dead community would help the petition get more attention. After some negotiations back and forth on the text, we compromised and kept the focus narrow to reflect the core mission of MAPS—the cultural reintegration of psychedelics—and to focus my message more on Tim Tyler, who is serving a life sentence for supplying LSD. This is absurd and reminds me of what Eric Sterling had said, in his essay “Law Enforcement Against Entheogens: Is it Religious Persecution?”:

[T]hose who are most trusting, such as those who are peaceful and spiritually inclined. Those who make, cultivate, or distribute entheogens have become the training targets for the heavy artillery of “the war on drugs.”

Tim was a peaceful Deadhead, as was I. We had become the targets. None of this means that “those of us still in jail”, as Brad Burge had said, are less deserving of clemency. It is our brothers, sisters, sons, daughters, wives and husbands that are in jail needlessly and without justice.

Casey William Hardison (right) and Rick Doblin at the Grateful Dead's Fare Thee Well concert in Chicago, July 3, 2015.



THE SHOWS

Dancing again with the Dead was truly liberating. In my freedom I had come full circle to the very place my idealistic and, at the time, perhaps, naive attitude to psychedelics had been born. So many times I have yearned for those Deadheads in prison to know their freedom will come soon. I danced hard for them. At times I even wept.

It was also awesome to see the MAPS booth and the excited crowds surrounding it. People came by the hundreds to be photographed by Bryce Montgomery of MAPS, with banners that said “I Support Psychedelic Science”, “I Support Psychedelic Education,” and “I Support Psychedelic Harm Reduction.” (I was his first subject.)

Also while in Chicago, I was excited to stay at Rick’s parents’ house where he grew up. The open plan architecture gave me great insight into the openness of his mind: every wall has a door and every room opens to a huge skylight.

Waking up there on the Fourth of July we heard the news that President Obama had made a statement about making greater use of his reprieve and pardon powers with particular focus on non-violent drug war prisoners. We were elated to be part of the movement, encouraging politicians to make these important reforms.

THE FUTURE

Unfortunately, with so many petitions asking nearly the same thing of President Obama, I felt that our petition did not make much traction. While we did garner the support of over 18,000 individuals, the scope of the petition was narrow. Other petitions dedicated to single individuals have had similar results, and those geared toward larger, more inclusive groups of non-violent drug offenders have collected hundreds of thousands of signatures.

In late September we learned that the Federal Bureau of Prisons will be releasing about 6,000 federal prisoners—and ultimately as many as 46,000—who were convicted of drug offenses for which sentences have since been reduced. State and federal prisons release twice that number every week as inmates serve out their time, but 6,000 at once is an event, “the largest

one-time federal release,” as *The Washington Post* put it.

In early October, I learned from Carrie Tyler, Timothy’s sister, that “there is a new law being introduced that would reduce his time from life to 25 years. It should be decided by the end of the year.” I have yet to confirm this, but I do note that a bipartisan group of top Senate lawmakers recently introduced a long-awaited sentencing reform law entitled the Sentencing Reform and Corrections Act, which would curb the mandatory minimum sentencing guidelines under which Timothy and many others were sentenced.

The law would end the federal “three strikes” mandatory life sentencing enacted as part of our nation’s “War on Drugs” approach and return discretion to the judges when meting out penalties, reserving harsher punishment for repeat felons with violent or more serious drug-related offenses. I am unclear whether this would apply retroactively to Timothy and other LSD prisoners with life sentences.

It is my sincere hope that these signals point toward the inevitable end of the “war on some people who use some drugs,” and in particular the release of each and every one of the non-violent Deadheads our petition targeted. It will take many years to recover from the untold harm that the war has meted out on families and communities. Releasing those individuals who chose to be involved in drugs unfamiliar to most of the lawmakers is the first step. 🌱

Casey William Hardison is an American chemist and self-described medical anthropologist committed to the idea of cognitive liberty or freedom of thought, the right to direct one’s consciousness as one sees fit. For Hardison this includes the use of tools or technologies, particularly psychedelic substances, for consciousness exploration and psychological transformation. He was convicted in the United Kingdom in 2005 of six offenses under the Misuse of Drugs Act 1971 involving psychedelic drugs: three of production, two of possession, and one of exportation. Hardison has taken a leading role in workshops on entheogenic drugs, their plant sources and history. In 2008 he helped found the Drug Equality Alliance, a non-profit organization working to secure equal rights and equal protections for all drug users. He can be reached at cre8love@gmail.com.