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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF ARIZONA**

10 The Church of the Eagle and the Condor, et
11 al,

12 Plaintiffs,

13 v.

14 Merrick Garland, Attorney General of the
United States, et al,

15 Defendants.
16 _____/

Case No.: CV-22-01004-PHX-SRB

**Declaration of Benjamin Sullivan in
Support of Plaintiffs Opposition to
Defendants' Motion to Dismiss**

Judge: Honorable Susan R. Bolton

17 I, Benjamin Sullivan, do hereby declare:

18 The following facts are based upon my personal knowledge, and if called as a witness, I could
19 and would competently testify under oath as to the facts set forth herein.

20 1. My name is Benjamin Sullivan. I am submitting this letter as a declaration of my deeply
21 held belief in and commitment to the Church of the Eagle and the Condor. I am 41, originally
22 from Rhode Island and currently a resident of Phoenix, Arizona. In my professional life I work
23 as a Senior Ethics Advisor for the Boeing Company, outside of which I have been a shamanic
24 practitioner and teacher for the last 22 years. I am a member of the Church of the Eagle and
25 the Condor and believe deeply in the tenets of the Church as informed by the Prophecy of the
26 Eagle in the Condor. It is the Prophecy that has guided and defined my connection to and
27 expression of spirituality.

1 2. My introduction to the concept of spirituality began at a very young age. As a child
2 growing up in the rural forests of Rhode Island, nature was my refuge, my sanctuary, my
3 closest friend, and where I felt most connected to all things. I did not have the language at that
4 young age to express it as such, but it was in nature that I first experienced the sense of
5 Universal Love and a connection to Divinity. However, my family did not participate in
6 religion, either as a concept or a practice. We did not attend church, we were not part of a
7 congregation, there wasn't much discussion around religious beliefs or traditions, and my only
8 exposure to a place of worship was at the infrequent wedding or funeral.

9 3. The adolescent experiences I did have with organized religion did little to create a sense
10 of connection to a Divine because I felt I was receiving two different messages I could not
11 reconcile. One message was that there is a supreme intelligence guiding all things, an ever-
12 present force that brought all life into being and was an infinite and ineffable source of love,
13 compassion, and grace. The other message was of a Divine Creator and source of universal
14 love that was somehow separate and apart from us, along with the concepts of original sin and
15 eternal judgement, and the belief that there was only one route to salvation and connection to
16 the Divine - all of which was diametrically opposed to what I knew to be true in my soul.
17 These conflicting viewpoints left me feeling alienated and divided from a sense of connection
18 to the Divine, and at that age I believed that there wasn't a path for me to experience
19 spirituality.

20 4. In my teenage years I was exposed to the concept of shamanism and indigenous, earth-
21 based traditions. I was inspired by these ancient perspectives that saw the presence of the
22 Divine in all living things, that carried a deep reverence and reciprocity with the natural world,
23 and that engaged in an intimate and immediate relationship with a Divine Creator. I began to
24 study and explore the many different branches of indigenous, shamanic wisdom and cultivate
25 a personal practice.

26 5. I continued in my solitary exploration for more than a decade, deepening my
27 understanding of the shamanic perspective and building my own practice, until I had my first

1 experience with Ayahuasca in my early thirties. That experience was – for the first time in my
2 life – a true, all-encompassing, fully-realized connection to Divinity. I directly experienced
3 a personal, intimate connection to that supreme intelligence, a consciousness that was beyond
4 comprehension and simultaneously so immediate and present with me. With Ayahuasca I felt
5 the sense of unity and communion to the ultimate source of love, compassion, and grace that
6 I had been searching for since my earliest days in the forests of Rhode Island. The first threads
7 of conscious connection were woven that weekend, connecting my mind and heart, my spirit
8 to the Spirit of all living things.

9 6. That experience opened the door to developing a personal relationship with the divine
10 sacrament Ayahuasca. I attended many similar ceremonies over the following years, and the
11 experiences brought forth a magnitude of personal healing and transformation beyond
12 description. Ayahuasca became a light in my life that brought clarity and awareness to aspects
13 of myself I was afraid to look at, and unable to achieve on my own. Without it, I am not able
14 to follow my spiritual path.

15 7. I met Dr. Joe Tafur in late 2016 and the encounter was one of deeply felt recognition
16 and shared understanding. It was the first time in my journey with Ayahuasca that I
17 encountered someone who spoke of the medicine, and the spiritual path, in a way that truly
18 resonated with me. Following Dr. Tafur’s guidance and support, I began to travel to Nihue
19 Rao Centro Espiritual in Peru to continue my healing journey. It was at Nihue Rao that I
20 became immersed in the Shipibo lineage and tradition, and witnessed first-hand a living,
21 vibrant, indigenous, earth-based tradition rooted in ancient wisdom. It is a place where
22 ancestors, elders, parents, and children coexist, centered around tradition and ceremony. This
23 was the model of a community I was longing for and of a spiritual path I was seeking as a child
24 in the church pew.

25 8. In time, my experiences with Ayahuasca broadened from a journey of personal healing
26 to a path of study and apprenticeship. Through Dr. Tafur’s mentorship I began to develop a
27 foundation of skills to become a practitioner in the Shipibo tradition. Along with his dedicated

1 support in my personal work and training, Dr. Tafur also encouraged my continuing
2 involvement in the community and introduced me to other wisdom keepers and elders. I was
3 warmly welcomed into the home of Belinda Eriacho and Naomi Tsosie, Diné elders and
4 grandmothers of medicine, who received me and treated me as a nephew. When the vision of
5 the Church was shared with me, I received it as one cohesive message. It was a message of
6 unity, of fellowship, of humble service to the Earth and one another, of great responsibility to
7 live in right relationship with all things.

8 9. I believe The Prophecy of the Eagle and the Condor is more than just a prophecy, it is
9 the guiding principle that Divine Creator has given so that we all may walk our spiritual path.
10 The Prophecy calls upon us to first recognize the division that has been created between our
11 heart and mind, to acknowledge the great pain and torment this separation has created, and to
12 bear witness to the sorrow our soul has endured as a result of disconnection to the Earth. The
13 Prophecy then lights the way forward to restore harmony and balance, to reclaim our
14 connection to the infinite and ineffable source of love, compassion, and grace, and to join
15 together in community and fellowship with all living things. I know this to be true because my
16 own personal journey has unfolded in the way the Prophecy speaks of, and I know in my soul
17 that my journey is one small mirror that reflects the shared journey of a global community.

18 10. The Church of the Eagle and the Condor is the place where my personal journey joins
19 with that greater community. Our Church is where my spiritual beliefs and practices are made
20 real and vital, where my expression of connection to all living things is heard, matured, and
21 strengthened. Our Church is where I am able to embrace and evolve my personal relationship
22 with that divine intelligence, presence, and personality of Ayahuasca, and through Ayahuasca
23 – the Church’s only sacrament – to the Divine Creator. Our Church – rooted in the wisdom
24 of ancestral traditions, guided by the integrity of honored elders, and celebrated in the shared
25 hearts, minds, and spirits of the community – is where I experience the truest and most deeply
26 felt sense of spirituality.

27 11. As my only sacrament, ayahuasca is essential to my spiritual practice with CEC. Under

1 the current laws of our country, to practice my spirituality and participate in our Church is to
2 do so at great risk. I am exposing my professional and personal life to the threat of criminal
3 consequences by continuing to follow the path laid before me by Divine Creator, which I do
4 despite this threat. Nonetheless, I am concerned about how a criminal prosecution would
5 impact my livelihood and my reputation.

6 12. Because I continue to practice my religion, learning of the seizure of our sacrament
7 increased my concerns about that criminal liability. It also concerned me because for me, the
8 destruction of the sacrament is a sacrilege. I experience spiritual and emotional suffering
9 knowing that ayahuasca, which I consider a conscious being, is being destroyed. A court
10 determining that the CEC's use of our sacrament Ayahuasca is legal – and by extension,
11 preventing its further destruction while protecting my spiritual practice – would adequately
12 assuage my concern.

13 13. My faith and belief in the universal love and unity foretold by the Prophecy and made
14 real by the Church is what allows me to face with unwavering courage the injustice of these
15 laws and whatever consequences may come as a result. I believe that this Church is the
16 threshold through which all of humanity may step through into a new era of unity, fellowship,
17 and right relationship with all living things.

18
19 I declare under the penalty of perjury pursuant to the laws of the United States, that the
20 statements made in this declaration are true and correct to the best of my recollection.
Executed this day of December 11, 2022 at Phoenix, Arizona.

21 *Benjaman Sullivan*
22 Benjaman Sullivan