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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 Joseph Bellus in Support of
Plaintiffs' Opposition Motion to
Defendants' Motion to Dismiss**

Judge: Honorable Susan R. Bolton

17 I, Joseph Bellus, do hereby declare:

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

20 1. My name is Joseph Bellus, and I was born and raised in Arizona. I am Native
21 American. My birth mom is from the San Carlos Apache Native American Reservation in
22 Arizona. I was adopted at 3 months of age and went to a Mormon family at my mother's
23 request, who wanted me to grow up that way. I have an adopted brother and adopted sister
24 as well. My brother is Korean and my sister does not know her ancestry.

25 2. I graduated from Arizona State University with my Degree in Exercise Science &
26 Wellness in 2009. I own a personal training & meditation studio in Mesa, Arizona.

27 3. I grew up Mormon but left the Mormon church when I was seventeen and have not been

28 *Declaration of Joseph Bellus*

1 affiliated with any religion until I joined the Church of the Eagle and Condor. From a very
2 young age, I did not want to be involved in the Mormon church and I rejected everything it
3 taught me. The moment my parents could no longer force me to go, I stopped going. For
4 many years after that, I actively searched for a spiritual connection. I read books, took classes,
5 and meditated. I went to therapists, retreats, and self-development courses. I tried many
6 different things to establish a spiritual connection. Some of these avenues I tried were very
7 helpful, and I still use many of the tools I have learned. However, it wasn't until my first
8 ayahuasca ceremony in 2016 that I found what a "spiritual connection" really is.

9 4. I have been partaking in ayahuasca ceremonies since then. The sacrament ayahuasca
10 is a spiritual foundation for me that helps guide my life. Since my first ceremony, the shift
11 my life has made in a positive direction is truly remarkable and I don't think I would be alive
12 today if I hadn't gone to that ceremony in 2016.

13 5. When I first heard about ayahuasca it was not for spiritual reasons, I was looking for
14 a way to cure my alcoholism. I started drinking and using drugs at the age of 12, and at my
15 lowest points in my life I had tried to commit suicide twice. I was desperate to find a way to
16 break the cycle of addiction. Since my first ayahuasca ceremony in 2016, I haven't had a
17 single alcoholic drink or a single thought of suicide. I credit the healing of both to what I
18 would now call a "spiritual awakening.": After my first ceremony I knew that ayahuasca was
19 not something to be done "recreationally," but there was a deep spiritual meaning behind its
20 consumption as a sacrament. This understanding and insight after my first ceremony is what
21 led me to keep seeking something that I could continue to build a new spiritual foundation
22 upon. In that pursuit I found the Church of the Eagle and the Condor.

23 6. I first met Joe Tafur in 2017 at a speaking engagement when he was touring for his
24 book *The Fellowship of the River*. Over the course of that year, we kept running into each
25 other through mutual friends of ours, and he told me he was starting a Native
26 American-based church and was working with Dine elders from Arizona. I have been a part
27 of that same community of people since then. As the years went on, the conversations about

1 the church grew stronger and stronger until it officially had a name: The Church of the Eagle
2 & The Condor.

3 7. As a member of the church, I help with Native American sweat lodges, prayer
4 ceremonies, blessing ceremonies, community service, and speaking engagements. I recently
5 went to Mexico for an ayahuasca diet and training so I can help with ceremonies for the
6 church. In my current role, I do not handle the ayahuasca directly and follow the protocol of
7 the church regarding my process of training, which will take many years.

8 8. The Church of the Eagle and the Condor is the restoration of Indigenous spiritual
9 practices and beliefs to help heal people on a spiritual level. It is the honoring of Indigenous
10 wisdom that was hidden, stolen, and kept from many generations of Native Americans here
11 in the United States and in South America. Working with plants and going to mother earth
12 for spiritual answers, connection, and guidance has been the way of Native Americans in this
13 country for our entire existence. This connection and wisdom were taken from us; we were
14 murdered, raped, starved to death, poisoned, executed, stolen from our homes, and punished
15 over and over again for practicing our beliefs, language, dances, songs, and spiritual way of
16 life. Today, people that are seeking a direct experience with the Divine they can encounter
17 it through the church and its sacred sacrament ayahuasca. Ayahuasca is here to help people
18 understand that we are all worthy of this connection and communication when we “walk in
19 the beauty way” (Native American Teaching). The Church of the Eagle and The Condor is
20 here to help heal people as well as to heal mother earth. This is something all Native
21 American teachings share: mother earth provides the healing we need, and in return we are
22 to tend, look after, and heal her so she may continue that “ayni” (reciprocity) for many
23 centuries to come.

24 9. Ayahuasca brought me to my first encounter with my ancestors. Ayahuasca has helped
25 me know how true Native American spirituality – my own religious practice - is. It has put
26 me in direct commune with “God” time and time again and continues to help guide my life
27 in all areas. It has help me clear generational trauma from western religions and westernized

1 spiritual practices and contamination. Ayahuasca helps me restore my roots, spirituality, and
2 practices, and it has helped me at the deepest level possible, in my soul. It has restored me
3 and who I am as a Native American.

4 10. Ayahuasca is our sacred sacrament, and it is essential to the church's doctrine and
5 practice. It is its only sacrament. Ayahuasca is what removes our flawed human judgment
6 and perception and creates a place inside of ourselves for us to experience healing and
7 connection to "God" and allows us to move into our lives with a deeper sense of
8 understanding, love, compassion, forgiveness and wisdom. Partaking in Ayahuasca is just as
9 sacred and important to me as any one of my Native American ceremonies. It is something
10 that should have never been taken from me or hidden from me as a Native American person.

11 11. My understanding is that consuming this sacrament has been a "grey area" when it
12 comes to the law, and I don't want to have to live in fear of being persecuted for practicing
13 my spiritual beliefs. I am an entrepreneur and have a business – a criminal prosecution would
14 impact by ability to maintain my livelihood and prevent me from being in service to my
15 community. I work and volunteer with Native Americans on issues that impact our health,
16 community, and well-being, and would not be able to offer that support if I had to fight
17 charges simply for practicing my beliefs. Nonetheless, I continue to practice my religion,
18 including using our sacrament rather than intimidated into acting contrary to my religious
19 beliefs.

20 12. I believe that ayahuasca is a sentient being with whom I am building a deep spiritual
21 relationship to come into contact with my true nature, my ancestry, and the divine. The
22 government's seizure and destruction of the medicine is hurtful to my spiritual practice and
23 offensive to the spirit of Ayahuasca itself.

24 13. As mentioned in the prophecy of the Eagle and the Condor, the uniting of the
25 medicine(s) of the South (Condor) and the medicine(s) of the North (the Eagle) and the
26 healing it can bring to all peoples is a huge part of the fulfilling of the prophecy. Societal
27 dysfunction, fighting, separation, and lack of communication are all sicknesses of the mind

1 and the spirit. The Prophecy is coming to pass, and the way to heal is to recognize, restore,
2 protect, and legalize the rights of Indigenous spiritual practices by protecting the Church of
3 the Eagle and the Condor's right, and my right, to utilize the sacrament Ayahuasca.

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5 I declare under the penalty of perjury pursuant to the laws of the United States, that the
6 statements made in this declaration are true and correct to the best of my recollection.
Executed this day of December 12, 2022 at Mesa, Arizona.

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Joseph Bellus

Joseph Bellus

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