



To: The Honorable Senator Deschambault, Chair
The Honorable Representative Warren, Chair
Members, Committee on Criminal Justice and Public Safety

From: Matthew Fortin, Legal Extern with Maine Medical Association and
2L at the University of Maine School of Law

Date: April 21, 2021

Re: **In Support** - LD 994 - An Act to Promote Public Health by Eliminating Criminal
Penalties for Possession of Hypodermic Apparatuses

The Maine Medical Association is the state's largest professional physician organization representing more than 4,300 physicians, residents, and medical students in Maine whose mission is to support Maine physicians, advance the quality of medicine in Maine and promote the health of all Maine residents.

The Maine Medical Association **strongly supports** LD 994, which decriminalizes possession of hypodermic apparatuses and syringes. The Opioid Crisis remains one of MMA's [top priorities](#) in the Public Health domain. The AMA Opioid Task Force issued a progress [report](#), suggesting its membership to urge policymakers to "support increased efforts to expand sterile needle and syringe services programs as well as reforms in the civil and criminal justice system that help ensure access to high quality, evidence-based care for opioid use disorder, including medication-assisted treatment." That effort continues here.

[Research](#) shows that laws which are tough on drugs do not necessarily deter drug use. The nation is moving in favor of a public health-focused approach to substance use; [Oregon](#) and [Maryland](#) have recently made significant steps toward taking the drug problem away from the criminal justice system. Locking people up for having substance use disorder actually *blocks* their path toward treatment; a forced detox and lower tolerance can lead to unfortunate and deadly results.



With my Maine Medical Association hat on, this bill makes sense; removing a roadblock to recovery makes sense medically. Treating substance use disorder as a disease, and not a crime, is a human-centered approach that our membership strongly believes in. As the AMA states, “Policymakers need to act to remove barriers to evidence-based care for patients with pain and those with a substance use disorder or the epidemic will continue to worsen.” Decriminalizing possession of hypodermic apparatuses encourages those seeking medication-assisted treatment to continue on that path using clean and sterile equipment, eliminating their incentive to re-use needles and expose themselves to various diseases.

With my law student hat on, this bill still makes sense; our War on Drugs has not worked – it is short-sighted, only temporarily putting the “problem” out of view instead of actually addressing it and helping. It’s time to be proactive in our policymaking, and it involves a shift of mindset. Instead of laws that cause folks to fear law enforcement interaction, we should be striving to create an environment that gives people greater incentive to seek treatment. This is a chance for a compassionate change to law.

Thank you for allowing us to testify in support of LD 994. Maine Medical Association strongly urges the Committee to vote **Ought to Pass**.