



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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Senator Anne Beebe-Center, Chair  
Representative Suzanne Salisbury  
Committee on Criminal Justice & Public Safety  
100 State House Station Room 436  
Augusta, ME 04330

RE: LD 2054 -- An Act to Exclude Certain OUI Crimes from the Immunity Provisions That are Triggered When Law Enforcement is Called for a Suspected Overdose

Dear Senator Beebe-Center, Representative Salisbury, and Members of the Criminal Justice and Public Safety Committee:

MACDL opposes LD 2054.

This bill would remove OUI crimes from those crimes that can be prosecuted if discovered in response to a person trying to stop someone from dying from an overdose. When the original Good Samaritan provisions were passed several years ago there was significant testimony about the need to make sure that people calling to help someone from dying did not need to have to reconsider because they could be prosecuted for a crime. This bill erodes that very protection, and if passed would go in the opposite direction from trying to keep people from dying. Instead, it would put back in place the precise problem when it comes to someone calling to get help for someone who was overdosing.

This is troubling. There is no reason now that these misdemeanor crimes should be carved out of the important Good Samaritan protection that this very Committee passed. Indeed, removing OUI as part of the excludable crimes was not even mentioned as something of concern when the bill was debated and ultimately passed. And yet now here we are, years later, with a chiseling away of a law that has ensured that people who report overdoses emergencies do not second guess themselves because they may be charged with OUI.

This bill should be roundly and quickly voted Ought Not To Pass. Doing otherwise would be a rejection of the good work done many years ago, and would be a vote that prosecution of OUI was more important than the life of someone who was overdosing.

Thank you for the opportunity to address this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter F. McKee". The signature is fluid and cursive, with the first name "Walter" being more prominent than the last name "McKee".

Walter F. McKee  
Chair, Legislative Committee