

TESTIMONY OF DIRECTOR RICHARD R. DESJARDINS, MAINE DRUG
ENFORCEMENT AGENCY
DEPARTMENT OF PUBLIC SAFETY

OPPOSING L.D. 1975

" AN ACT TO IMPLEMENT A STATEWIDE PUBLIC HEALTH RESPONSE TO
SUBSTANCE USE AND AMEND THE LAWS GOVERNING SCHEDULED DRUGS "

Presented by Representative CRAFTS of Newcastle.
Cosponsored by Senator HICKMAN of Kennebec and
Representatives: BOYER of Poland, FAULKINGHAM of Winter Harbor, LANIGAN of
Sanford, MILLIKEN of Blue Hill, PERRY of Calais, SHEEHAN of Biddeford, Senators:
BAILEY of York, BRENNER of Cumberland

BEFORE THE JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

HEARING DATE: January 17, 2024, Cross State Office Building

SENATOR BALDACCI, REPRESENTATIVE MEYER, AND MEMBERS OF THE COMMITTEE ON HEALTH
AND HUMAN SERVICES. THANK YOU FOR THE OPPORTUNITY TO COME BEFORE YOU TODAY. MY
NAME IS RICK DESJARDINS. AS THE DIRECTOR OF THE MAINE DRUG ENFORCEMENT AGENCY
(MDEA), I AM HERE REPRESENTING THE DEPARTMENT OF PUBLIC SAFETY. THE DEPARTMENT
OPPOSES L.D. 1975, **"AN ACT TO IMPLEMENT A STATEWIDE PUBLIC HEALTH RESPONSE TO
SUBSTANCE USE AND AMEND THE LAWS GOVERNING SCHEDULED DRUGS"**

IT IS ALL TOO WELL KNOWN, DRUG OVERDOSE DEATHS HAVE RISEN DRAMATICALLY IN MAINE AND
THROUGHOUT OUR COUNTRY OVER THE LAST SEVERAL YEARS. MORE THAN EVER, THESE TRAGIC
AND PREVENTABLE DEATHS COINCIDE WITH THE INCREASED DRAMATIC RISE IN THE PREVALENCE
OF OPIOID DRUGS OR OTHER SUBSTANCES THAT ARE FAR MORE POTENT, INCREASINGLY MORE
DANGEROUS AND UNPREDICTABLE FOR THE PEOPLE WHO USE OR INTERACT WITH THESE
SUBSTANCES. MANY OF OUR PARTNERS IN MAINE HAVE WORKED TIRELESSLY TO FIND WAYS TO
REDUCE THESE TRAGEDIES AND HOPEFULLY WE ARE SEEING PROGRESS ON MANY FRONTS.

WE BELIEVE SECTIONS OF THIS BILL TRULY MOVE THE CONVERSATION FORWARD ON THE ISSUES OF
FUNDING AND TREATMENT HOWEVER, IN OUR OPINION THE SECTION OF THIS BILL THAT

DECRIMINALIZES POSSESSION OF ALL DRUGS, INCLUDING THE MOST POTENT AND DANGEROUS, IS TAKING THE WRONG DIRECTION IN REDUCING DEATHS AND DRUGS IN OUR STATE.

BASED ON THE BILL'S SUMMARY AS I UNDERSTAND IT, THE PROPOSAL WOULD AMEND THE STATUTE AND MAKE POSSESSION OF A SCHEDULE W, X, Y OR Z DRUG LEGAL IN MAINE. AS WELL AS LEGALIZE THE USE OF DRUG PARAPHERNALIA. IT WOULD ALSO REPEALS THE LAWS GOVERNING THE CIVIL VIOLATION OF USE OF DRUG PARAPHERNALIA AND POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA.

IT IS A STRATEGY OF THE MDEA TO INVESTIGATE DRUG RELATED DEATHS, COLLABORATE WITH OUR PARTNERS (FEDERAL, STATE AND LOCAL) AND IDENTIFY THOSE THAT ARE RESPONSIBLE FOR THE IMPORTATION AND DISTRIBUTION OF THESE ILLICIT DRUGS AND BRING THOSE CASES BEFORE THE COURTS AS ANOTHER MEANS OF COMBATING MAINE'S DRUG EPIDEMIC. ALTHOUGH, MDEA'S FOCUS IS ON THE LARGER SCALE DRUG TRAFFICKING ENTERPRISES, FREQUENTLY CASES INVOLVING POSSESSION OF DRUGS DEVELOPED BY OUR STATE, COUNTY AND LOCAL LAW ENFORCEMENT PARTNERS LEAD TO SUBSTANTIVE FURNISHING AND TRAFFICKING CASES.

I'M SURE OTHERS WILL TALK MORE ELOQUENTLY OF THE BENEFITS OF HAVING THE ABILITY TO INTERCEDE LEGALLY AND TAKE ACTION EARLY ON WHEN INDIVIDUALS ARE STARTING DOWN THE PATH OF SUBSTANCE USE DISORDER. IN MY PREVIOUS EXPERIENCE AS A MUNICIPAL POLICE OFFICER, INTERACTING WITH INDIVIDUALS CHARGED WITH SIMPLE POSSESSION, PROVIDED THE OPPORTUNITY TO WORK WITH FAMILIES, COURT DIVERSION PROGRAMS, COMMUNITY BASED TREATMENT AND OTHER RESOURCES. THESE PROGRAMS FREQUENTLY HAD A HUGE IMPACT IN CHANGING BEHAVIOR. NOT TO MENTION THE VAST MAJORITY OF OUR POPULATION THAT LISTEN CAREFULLY AND PAY ATTENTION TO LAWS THAT HELP PROTECT US AND KEEP OUR COMMUNITIES SAFE.

IN MY CURRENT ROLE AS MDEA DIRECTOR, I INTERACT REGULARLY WITH PEERS FROM OTHER STATES, ATTEND TRAININGS AND READ ACCOUNTS OF THE EXPERIENCES FROM SIMILAR DECRIMINALIZATION LEGISLATION. FROM MY INTERACTIONS AND WHAT I HAVE LEARNED, THE NEGATIVE RESULTS ARE PROFOUND AND TROUBLING. I SINCERELY HOPE THIS COMMITTEE HAS A ROBUST DISCUSSION AND REACHES A DECISION THAT HELPS IN SOLVING MAINE'S DRUG EPIDEMIC.

PLEASE CONSIDER THESE POINTS AS YOU CONSIDER THE MERITS OF L.D. 1975. AGAIN, THANK YOU FOR YOUR TIME AND THE OPPORTUNITY TO APPEAR HERE BEFORE YOU. I WILL GLADLY ANSWER ANY QUESTIONS THAT YOU MAY HAVE, EITHER AT THIS PUBLIC HEARING OR AT A FUTURE WORK SESSION.