

Addendum to Written Testimony on

L.D. 1975, "An Act to Implement a Statewide Public Health Response to Substance Use and Amend the Laws Governing Scheduled Drugs"

Presented by

Christopher M. Martin

Deputy Chief – Brewer Police Department

Committee on Health and Human Services

January 18, 2024

Senator Baldacci, Representative Meyer, and distinguished members of the Committee on Health and Human Services:

At the close of the hearing on LD 1975 I heard a request for information about the threshold amounts of drug possession for British Columbia, Portugal, and Oregon.

I would like to provide you with this information and am available to provide you with additional source material if you desire.

I have included additional information that you may find of assistance in your deliberations on LD 1975 as you seek to construct an impactful public policy.

I hope this is of use to you.

Respectfully,

Chris

Deputy Chief Christopher M. Martin

Brewer Police Department

151 Parkway South, Brewer ME 04412

207-989-7003

cmartin@brewermaine.gov

Comparisons between British Columbia, Portugal, and Oregon with allowable drug possession amounts that would not be criminal offenses

British Columbia drug possession exemptions:

- Opioids (heroin, morphine, fentanyl)
- Cocaine
- Methamphetamine
- Ecstasy

What remains illegal: A combined total of more than 2.5 grams of exempted drugs or any amount of other illegal drugs not included in exemption

Source: <https://www2.gov.bc.ca/gov/content/overdose/decriminalization>

Portugal

Threshold for non-criminal offense (considered 10 days' average consumption)

- Cannabis: Resin 5g; herbal 25g; THC 5g; Oil 2.5g
- Ecstasy: 1 g
- Heroin: 1 g
- Cocaine: 2 g

Anything above threshold is considered supply and a criminal offense

Source: European Monitoring Centre for Drugs and Drug Addiction

Portugal's drug policy

interview: <https://www.youtube.com/watch?v=N4lxqT5ABIY>

*It is important to note that Portugal has socialized medicine, and doesn't not have the level of illicit drug market that US has, has not experienced the proliferation of fentanyl, and historically marijuana has been the most widely abused drug.

Oregon:

Possession of the following amounts of drugs is criminal (misdemeanor) if exceeds these amounts:

- Heroin: 1 g
- MDMA: 1 g or 5 pills
- Cocaine: 2 g
- Methamphetamine: 2 g
- LSD: 40 units
- Psilocybin: 12 g
- Methadone: 40 g
- Oxycodone: 40 pills
- Fentanyl: 1 g or 5 or more user units

Felony amounts:

- Heroin: 5 g
- Ecstasy: 5 g or 25 pills
- Cocaine: 10 g
- Methamphetamine: 10 g
- LSD: 200 units
- Psilocybin: 60 g
- Fentanyl: 5 g or 25 or more user units

Anything under threshold for misdemeanor amounts is a civil infraction with a \$45 minimum fine and a \$100 maximum fine, no other possible penalties. If individual completes a treatment screening within 45 days of citation, case is dismissed. Currently failure to complete screenings or pay fines have had no consequence.

Source: <https://drive.google.com/file/d/1Lx9YsZEOQQNAWu8WTEbItuJNUgH1-otO/view>

Impact of Decriminalization of Drug Possession in Oregon (Zoom meeting with Oregon Officials April 2023):

<https://www.youtube.com/watch?v=MCqrURYKk0I&t=431s>

Documents related to Zoom meeting: <https://drive.google.com/file/d/1S6KZxMwewwh-sEz0uIpTHepVRSi0VQPR/view>

Origin of Ballot Measure 110 in Oregon:

<https://www.youtube.com/watch?v=gDFijwJHXyM>

Recent News concerning Oregon's Ballot Measure 110:

The proposals to "fix and improve" Oregon's Measure 110 (news video 09/19/2023)

<https://www.youtube.com/watch?v=EUfkqU5HW7k&t=66s>

Oregon Republicans preview bill that would "end" Measure 110 (news video 01/11/2024)

<https://www.youtube.com/watch?v=9idPFz1FrsU>

Measure 110 and Oregon's drug policy failures at the core of three potential bills (news video 01/11/2024)

<https://www.youtube.com/watch?v=sFwb3uMzIqA>

Coalition to Fix and Improve Measure 110

<https://fixballotmeasure110.com/>

M110 Facts (various sources) from site of Coalition to Fix and Improve Measure 110

<https://fixballotmeasure110.com/m110-facts/>

The Lund Report (independent, nonpartisan, nonprofit, news source concerning health care for Oregon)

<https://www.thelundreport.org/>

How are Oregonians feeling about Measure 110? (news video 08/29/2013)

https://www.youtube.com/watch?v=PjKNNM_QiwM

**Considering Drug Decriminalization and Safe Injection in Maine (May 2023),
Zoom presentation:**

<https://www.youtube.com/watch?v=fuy895DmVWo&t=872s>

The presentation format is as follows:

1. Introduction
2. Overview of drug supply, narco-economics
3. Legislative impacts
4. Good Samaritan Act
5. Safe Injection Sites: Lessons from Vancouver
6. Decriminalization of Drug Possession: Lessons from Oregon's Ballot Measure 110

Reference/Resource Links for presentation:

<https://drive.google.com/file/d/1ptE2o3N1O556EHvBPmCEly4ludCFQxxv/view>

References in following format:

1. Safe Injection Sites
2. Child Welfare
3. Decriminalization
4. Oregon – Ballot Measure 110
5. Articles advocating for decriminalization and safe injection sites in Maine
6. Other: Cartels and China
7. Bills in the Maine Legislature

Other: In an interesting side note, Oregon has experienced a proliferation of organized crime illicitly producing marijuana, much like we are seeing in Maine.

Half of the state in Oregon (with respect to illicit marijuana cultivation and export) is controlled by Mexican Cartels other half by Asian Crime syndicates. Same groups are responsible for bringing in greater supplies of fentanyl and methamphetamine to the drug market.

- <https://www.wweek.com/news/2023/12/20/in-southern-oregon-illegal-cannabis-has-overwhelmed-the-legal-industry/>
- <https://www.usatoday.com/in-depth/news/nation/2023/06/18/cartel-backed-pot-grows-linked-to-california-oregon-human-trafficking/70329795007/>
- <https://www.youtube.com/watch?v=K8gGHZrK1RQ>
- <https://apnews.com/article/technology-science-oregon-marijuana-legislature-547d09248b4047da918a26d21898dac7>
- <https://ktvz.com/news/crime-courts/2022/06/15/c-o-drug-agents-dismantle-large-chinese-cartel-marijuana-operation-in-six-jefferson-county-raids-five-arrests/>

Christopher Martin
Brewer Police Department
LD 1975

Attached is ADDENDUM to my submitted written testimony with additional resources