



**Testimony in Opposition of LD 717:
An Act to Amend the Maine Criminal Code Governing Restitution to Include the Costs of All Analyses of
Suspected Illegal Drugs**

March 18, 2025

Senator Bebee-Center, Representative Hasenfus, and Honorable Members of the Criminal Justice & Public Safety Committee,

My name is Courtney Gary-Allen, and I am the Executive Director of the Maine Recovery Action Project (ME-RAP), a grassroots network of Mainers working on community and public policy based solutions to substance use. I am here to testify in opposition of LD 717 on behalf of our statewide organizing team.

LD 717 seeks to remove the provision in the Maine Criminal Code requiring that the cost of analysis of suspected illegal drugs be considered a critical investigation expense when a defendant is convicted of trafficking a scheduled drug and when the court finds that the conduct was motivated by profit. Under the current law, requiring a conviction for trafficking and a determination of profit motivation ensures that only those actively profiting from illegal drug sales are paying restitution. We support this provision. Individuals who traffic large quantities of drugs with the intent to harm our communities should face both financial penalties and incarceration.

To the contrary, people with substance use disorders should not. They should be supported with harm reduction, treatment and recovery support services. Instead, this bill seeks to add financial barriers to their recovery process. Of the 3,614 arrests for drug-related offenses in Maine in 2019, almost three quarters of drug arrests were for personal drug possession¹.

Individuals convicted of low level drug crimes are already paying legal fees and fines. In addition to financial penalties, criminal records come with a slew of collateral consequences in terms of barriers to employment, benefits, and housing, to name a few. We need to remember that it is not only individuals that suffer from increased financial penalties. Families are often financially impacted. If increasing penalties were truly an effective way to reduce drug use, we would still not be losing almost 500 Mainers a year, ten years into the opioid crisis. Creating more financial barriers for individuals with SUD to start a life in recovery is not the answer. Rather than increasing the potential fines for all drug-related crimes, we should be investing in evidence-based treatment for SUD.

We urge this Committee to reject LD 717.

I thank you for your time and am willing to answer any questions.

Sincerely,
Courtney Gary-Allen
Executive Director, ME-RAP, courtney@me-rap.org

¹ <https://www.aclumaine.org/en/betterpathreport>