



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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March 31, 2025

Senator Anne Beebe-Center, Chair
Representative Tavis Hasenfus, Chair
Committee on Criminal Justice and Public Safety
5 State House Station, Room 436
Augusta, ME 04333

RE: LD 1034: An Act to Decriminalize Personal Possession of Therapeutic Amounts of Psilocybin for Adults

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

The Maine Association of Criminal Defense Lawyers is a non-profit organization that has nearly 300 member attorneys who practice criminal defense across the state. Since 1992, MACDL has advocated for its members and the people we are fortunate to represent in courtrooms throughout Maine and at the State House.

MACDL presents this testimony in **support** LD 1034.

The War on Drugs has been an enormously costly and harmful endeavor that has led to the mass incarceration of millions over the past 50 years. The criminalization of drug use and possession has caused immeasurable harm to so many. Since the 1970s, Maine has decriminalized the possession of small amounts of cannabis. Over the past 10 years, Maine has moved away from imposing penalties for the possession of any personal amount of cannabis—also allowing its commercial sale. Mainers have recognized for quite some time that the slight hallucinogenic qualities of THC can be utilized in therapeutic ways to ease symptoms of anxiety and depression, and a host of other medical conditions.

Decriminalizing the possession of small amounts of psilocybin (“magic mushrooms”) for adults over the age of 21 just makes sense. Similar to marijuana, the therapeutic uses for psilocybin can be used to treat anxiety and depression. This drug has also been used to treat addiction to more destructive substances and to assist people with end stage cancer. Limiting the possession of psilocybin to adults over 21 is a reasonable restriction. Further restricting the possession to less than one ounce is also a reasonable restriction.

Alcohol is by far the most commonly used controlled substance in Maine. The horrific effects—both physical and psychological—of its use and misuse are too numerous to name. For decades, however, Maine has allowed adults over the age of 21 to possess and consume alcohol per their personal preferences. Alcohol does not have therapeutic uses. It is a toxin, plain and simple. Yet Maine allows its possession and use by adults. Psilocybin has therapeutic uses and consenting adults should be allowed to possess and consume such drugs without the fear of criminal prosecution and imprisonment.

In Maine, adults should be allowed to safely use substances to treat physical and mental conditions. Keeping the government out of Mainers' personal business would be consistent with Maine's 200-year libertarian foundations—and keep more people out of the criminal legal system.

Thank you for your consideration, for your attention to this important matter, and for allowing me to present this testimony to you all today.

Sincerely,

A handwritten signature in blue ink, reading "Tina H. Nadeau". The signature is fluid and cursive, with the first name "Tina" being the most prominent.

Tina H. Nadeau, Esq.
MACDL Executive Director