



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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April 14, 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 1366: An Act to Amend Certain Provisions of the Drug Laws Related to Cocaine Base**

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** of LD 1366.

The "crack" disparity was also something that was addressed by the [130<sup>th</sup> Legislature](#). It makes no scientific or practical sense to punish people more harshly for possessing small amounts of crack cocaine than they would otherwise be punished for possessing larger amounts of powder cocaine.

When the War on Drugs ramped up in the mid-1980s, this was a blatantly prejudicial and simply wrong way to differentiate between people who possessed drugs—white defendants tended to use or possess more expensive powder cocaine; Black defendants tended to use or possess cheaper crack cocaine—and were subject to much harsher treatment because of it.

Federally, the Fair Sentencing Acts of 2010 and 2018 eliminated sentencing disparities between powder and crack cocaine and even applied that elimination reactively given the serious harm from these misguided practices, particularly in communities of color. We should leave such discriminatory drug laws in the wastebin of history.

This bill proposal would address parts of the statutory section that were overlooked by the 2021 amendments, to bring them in line with the rest of the section that has eliminated the stark weight differentiations between powder cocaine and crack cocaine. This is an admirable goal and one that should be supported by this Committee. We urge you to vote **ought to pass** on this simple and effective bill.

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, appearing to read "Tina H. Nadeau". The signature is fluid and cursive, with a large loop at the end.

Tina H. Nadeau, Esq.  
MACDL Executive Director