

TO: Joint Standing Committee on Criminal Justice and Public Safety

FROM: Anthony Brucato, LCPC (Farmingdale, ME)

DATE: January 7, 2026

RE: Testimony regarding LD 1646 and Possession Thresholds (50-Unit Decriminalization)

To the Distinguished Chairs and Members of the Committee:

I am writing to urge your support for the decriminalization of personal possession of lysergic acid diethylamide (LSD) for quantities of **50 units (tabs) or less**. As a healthcare professional, I am providing this testimony to highlight the need for a policy that distinguishes between responsible individual use and commercial distribution, thereby prioritizing public health and judicial efficiency. This testimony is provided in conjunction with the committee's review of LD 1646, as both matters address the critical need to prioritize public health over criminalization.

The Case for Inclusive Psychedelic Policy: As Maine evaluates natural psychedelics like psilocybin, it is logically inconsistent to exclude LSD. Despite its synthetic origin, LSD shares a similar safety profile and therapeutic potential to organic counterparts. An evidence-based approach should focus on neurobiological impact rather than method of production.

Recognizing Community Standards for Use and Storage: Individuals who use LSD typically do so infrequently—often once or twice per year.

- **Acquisition Patterns:** To avoid illicit markets, responsible individuals often acquire a personal supply intended to last for an extended duration. A 50-unit threshold (a standard "half-sheet") accurately reflects this non-commercial use.
- **Safety:** Public safety is best served by promoting secure, childproof storage through "Safe Homes" initiatives. Safety is a matter of education; the specific container used should not trigger criminal charges.

Artistic and Collector Standards: A standard piece of "blotter art" is produced as a 100-unit grid. To protect the integrity of this medium, I propose that an **intact, uncut sheet of up to 100 units** also be treated as a civil violation. This prevents collectors from facing "Aggravated Trafficking" charges for possessing a single work of art.

Proposed Civil Framework: By removing the threat of a permanent criminal record, the State protects the future employment and housing stability of its residents. I recommend:

1. **1–50 units:** Civil Violation (\$600 fine **OR** voluntary treatment assessment).
2. **51–100 units:** Civil Violation (\$1,200 fine **OR** voluntary treatment assessment).

Conclusion: Current laws result in felony records that far outweigh the health risks of the substance. Decriminalization allows Maine to focus on the fentanyl crisis while treating residents with compassion. By offering treatment in lieu of a fine, we prioritize health over punishment.

Sincerely,

 1/7/2026

Anthony Brucato, LCPC | Farmingdale, ME 04344 | brucato@deafcounselingmaine.org

Technical Addendum: Standard "vanity" blotter art is produced in 900-square grids. The Committee should consider a "presumption of artistic possession" for single, intact sheets of this size to prevent accidental felony prosecution of art enthusiasts.

Anthony Brucato
Farmingdale, Maine
LD 1646

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