

Testimony of Lani Graham, MD, MPH

IN SUPPORT OF LD 967

An Act to Make Possession of Scheduled Drugs for Personal Use a Civil Penalty

Presented by Representative Anne Perry

Before the Criminal Justice and Public Safety Committee, April 30, 2021

Senator Deschambault, Representative Warren and Members of the Criminal Justice and Public Safety Committee, my name is Lani Graham. I am member of the Public Health Committee (PHC) of the Maine Medical Association (MMA) and the Maine Public Health Association. I am a former Chief Public health Officer for Maine. I live in Freeport.

Current Maine law has the effect of treating people ill with substance use disorders as hardened criminals by finding them guilty of a felony for simply possessing the drugs that have become addicted to. This is akin to arresting an alcoholic and charging him or her with a felony for possessing bottles of alcohol. While this state and this country had a brief fling with doing just that, it didn't take long to realize that the problem of alcoholism was not going to be solved through the criminal justice system. The theory that substance use disorders are character defects or crimes must become a legend of the past.

Addiction is a very hard illness to treat successfully. It is specialty care of the highest order and requires rigorous follow-up. Unfortunately, such follow up becomes nearly impossible once someone has a felony conviction. Mainers with felonies cannot easily find jobs that might give them health insurance. They often cannot find housing and must move from place to place. They may be separated from sources of support such as family. In this setting the ill person may relapse and may also begin to develop criminal behavior to support themselves and their addiction.

I hope that the Committee may give some consideration in the work session to raising the amounts found in an individual's possession to be consistent with average amounts that people suffering with these substance use disorders need to keep the symptoms of withdrawal at

bay. No doubt there are other witnesses that can provide a better perspective on that.

There is a lot of talk in Maine and elsewhere about doing something to address the opioid epidemic. By making drug possession for personal use a civil infraction rather than a crime, LD 967 represents an actual action to improve the care of those Mainers ill with an addiction.

I urge the Committee to support LD 967 unanimously ought to pass.

Thank you for your attention, and I would be pleased to answer any questions you might have.