



MAINE CHIEFS OF POLICE ASSOCIATION

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Statement in support of

L.D. 2054, An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose

January 17, 2024

Senator Beebe-Center, Representative Salisbury, and honorable members of the Criminal Justice and Public Safety Committee. My name is Jason Moen. I am the Chief of the Auburn Police Department, and the Acting President of the Maine Chiefs of Police Association. I am submitting testimony on behalf of the Maine Chiefs of Police Association in support of LD 2054.

The Mission of the Maine Chiefs of Police Association is to secure a closer official and personal relationship among Maine Police Officials; to secure a unity of action in law enforcement matters; to enhance the standards of police personnel, police training and police professionalism generally; to devise ways and means for equality of law enforcement throughout the state of Maine; to advance the prevention and detection of crime; to prescribe to the Law Enforcement Code of Ethics; and to promote the profession of law enforcement as an integral and dedicated force in today's society sworn to the protection of life and property.

As proposed, this bill adds OUI, and operating or attempting to operate a watercraft, snowmobile or all-terrain vehicle, or ATV, under the influence to the list of crimes that do not qualify for immunity from arrest, prosecution and certain revocation and termination proceedings when assistance has been requested for a suspected drug-related overdose.

The Maine Chiefs of Police Association understands the importance of getting medical help to drug overdose victims at the earliest possible moment, which is why our Association supported the Good Samaritan Law that was enacted a few years ago. That law provided immunity for the person experiencing an overdose, a person providing aid, or the person who calls for assistance. It also included a series of crimes that are not subject to immunity, including but not limited to sex crimes, crimes of violence and crimes against children. One crime that was not included in this list was OUI. We believe that was a mistake.

It is never safe to operate a vehicle, ATV, snowmobile, or watercraft while under the influence of alcohol or drugs, whether they are legal or illegal. Simply put, by doing so, you are putting yourself and others in harm's way. Slow coordination, judgement, and reaction times can be slowed by alcohol and marijuana. Aggressive and reckless driving can occur from stimulant use, such as cocaine and methamphetamine. Drowsiness and dizziness may result from certain

prescription and over-the-counter medicine use. All of these side effects can result in major crashes that can cause serious bodily harm or death to the operator, passengers, or innocent people.

As law enforcement officers, we have a sworn duty to the protection of life and property. That is why we support efforts for prevention and treatment of drug and alcohol abuse. That is also why we support laws that hold those accountable whose reckless actions may cause harm to others. OUI is a serious offense that should not be protected under the Good Samaritan Law.

On behalf of the Maine Chiefs of Police Association, we thank the Committee for its consideration of this proposal, and we respectfully ask members to pass LD 2054.