

TESTIMONY OF COMMANDER SCOTT J. PELLETIER  
DEPARTMENT OF PUBLIC SAFETY  
MAINE DRUG ENFORCEMENT AGENCY

(OPPOSING) L.D. 1034

**“AN ACT TO DECRIMINALIZE PERSONAL POSSESSION OF  
THERAPEUTIC AMOUNTS OF PSILOCYBIN FOR ADULTS”**

Submitted by the Department of Public Safety pursuant to Joint Rule 204. Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Sponsored by: Representative Grayson Lookner  
Cosponsored by Senator Bailey of York, Senator Hickman of Kennebec, Representative Gramlich of Old Orchard Beach, Representative Milliken of Blue Hill, Representative Boyer of Poland, Representative Chapman of Auburn, Representative Julia of Waterville, Representative Eder of Waterboro

Before the Joint Standing Committee on Criminal Justice and Public Safety

Hearing Date: March 31, 2025, at 09:30 a.m. in Room 436, State House

Sen. Beebe-Center, Rep. Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Scott Pelletier, and I am a Commander of the Maine Drug Enforcement Agency, representing the Maine Department of Public Safety.

I am here today to testify In Opposition of LD 1034, “An Act to Decriminalize Personal Possession of Therapeutic Amounts of Psilocybin for Adults” This bill as written would decriminalize the possession of one ounce or less of psilocybin for persons 21 years of age or older. Currently psilocybin is classified as a Schedule X drug under Maine Title 17-A MRSA §1102, 2, C

The Possession of psilocybin, a Schedule X drug under Maine Title 17-A MRSA §1107-A, sub-§1, D is a Class D crime, a misdemeanor subject to upon conviction a sentence of imprisonment to less than one year in prison.

As a Commander of Maine’s Drug Enforcement Agency, and a law enforcement officer in Maine for over 39 years, with more than half of that assigned to drug enforcement roles and a lifelong resident of Maine, I have seen firsthand the devastation illicit drugs, and their use have had across our State.

In the United States, there are seven states that currently have some type of decriminalization of psilocybin possession, Colorado being the only state that it is legal to possess psilocybin anywhere in the state. The other six states have various decriminalization in select municipalities of their respective states.

There are a number of medical studies and ongoing medical research in identifying benefits of psilocybin therapy in conjunction with psychotherapy. In 2018, the US Food and Drug Administration granted breakthrough therapy status for psilocybin for treatment of treatment-resistant depression, and in 2019 for major depressive disorder. All of these studies and research are conducted in controlled environments with psilocybin that has been synthesized or produced in the controlled atmosphere of a laboratory. The most common contraindications of psilocybin have been reported to be psychosis, schizophrenia, bipolar disorder and borderline personality disorder to mention a few.

From January 2024 to date, agents with the Maine Drug Enforcement Agency have seized over four and a half pounds of psilocybin (2,123 grams). The majority of these seizures took place while investigating mid to higher level drug traffickers involved in the distribution of fentanyl, methamphetamine and cocaine. These drug traffickers who are the main supply of illegal drugs throughout our state often times include psilocybin in their menu of drugs available to purchase. Like all illegal drugs purchased from illegal drug traffickers, there is no quality control, no recommended non-lethal dose to assure the purchaser of a safe, therapeutic experience.

This bill has the word “therapeutic” in the title but the source of the one-ounce amount is unknown and the lack of any connection to psychotherapy or the quality control of psilocybin is troubling.

On behalf of Maine Drug Enforcement and the Department of Public Safety, we appreciate your careful consideration of these issues, and we encourage you to vote in opposition of this bill. Thank you for your time and I would be happy to answer any questions you may have, either now or at any future work session.