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# HOUSE OF REPRESENTATIVES

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*Testimony of Rep. Jennifer Poirier on*

**LD 1263, “An Act Regarding Penalties for Fentanyl Trafficking When That Trafficking Results in an Overdose Causing Serious Bodily Injury of a Person”**  
*Before the Joint Standing Committee on Criminal Justice and Public Safety*

April 14, 2025

Senator Beebe-Center, Representative Hasenfus, and esteemed members of the committee, I’m Jennifer Poirier and I represent House District 70, which is the great community of Skowhegan.

I am here to present **LD 1263, “An Act Regarding Penalties for Fentanyl Trafficking When That Trafficking Results in an Overdose Causing Serious Bodily Injury of a Person”**.

This bill classifies fentanyl trafficking resulting in serious bodily harm as a Class A crime – the most severe felony under Maine law. This change is not merely a legal adjustment but a moral imperative to protect our communities from the devastating impact of fentanyl.

Fentanyl is a synthetic opioid that is 50 to 100 times more potent than morphine. Its presence in Maine has led to a significant increase in overdose deaths and serious bodily injuries. Even minuscule amounts can be fatal, making the trafficking of fentanyl particularly dangerous.

Under Maine law, aggravated trafficking of scheduled drugs can be classified as a Class A crime if certain conditions are met. For instance, trafficking in fentanyl powder in quantities of 6 grams or more, or 270 or more individual units, is considered a Class A crime. However, this classification does not currently extend to situations where trafficking results in serious bodily harm but not death.

While Maine has taken steps to address the fentanyl crisis, the current legal framework does not adequately address instances where trafficking leads to serious bodily harm without resulting in death. By reclassifying such offenses as Class A crimes, we would:

- **Enhance Accountability:** Traffickers who cause serious harm should face the most severe penalties, reflecting the gravity of their actions.
- **Deter Future Offenses:** A stronger legal deterrent may prevent future trafficking and associated harm.
- **Support Victims:** Acknowledging the severity of the harm caused can provide a sense of justice to victims and their families.

We all know that fentanyl does not discriminate. In the world today, it is likely that this awful drug in one way or another has affected each of us.

I want to tell you about a young man that meant so much to my family. I will not share his name out of respect for his family's privacy. As a boy, he grew up with my sons. They shared adventures and spent so much time together that he was like another son in my household. Three days after Christmas in 2016, we received a phone call saying that he was gone. He had taken a trip to Bangor with peers and ingested a pill. He told his peers he was feeling sleepy and went out to a car to rest. When peers checked on him, he was unresponsive. The hospital couldn't bring him back. The pill he had taken was laced with fentanyl. Fentanyl killed him and the drug traffickers remained free.

This law would not have impacted the scenario I just spoke of, but it would have allowed for serious consequences for the trafficker who was the cause of other overdoses with victims who survived.

Reclassifying fentanyl trafficking that results in bodily harm as a Class A crime would send a clear message that Maine is committed to combating the opioid crisis and protecting its citizens. I urge you to consider this change to ensure that those who cause serious harm through the trafficking of fentanyl are held accountable to the fullest extent of the law.

Thank you for your time and consideration. I am happy to answer any questions you may have.

Jennifer Poirier  
State Representative