



AMERICAN CIVIL LIBERTIES UNION  
Maine

TESTIMONY OF MICHAEL KEBEDE  
LD 1646 – Ought to Pass

**An Act to Amend Maine's Good Samaritan Laws Regarding  
Suspected Drug-related Overdoses**

Joint Standing Committee on  
Criminal Justice and Public Safety

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Senator Beebe-Center, Representative Hasenfus, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, greetings. My name is Michael Kebede, and I am a policy director for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I urge you to support LD 1646.

The Good Samaritan law, passed in 2019 and later strengthened, was designed to save lives.<sup>1</sup> However, a ruling by the Maine Supreme Judicial Court last January denied a defendant immunity from prosecution, just because the person calling for assistance failed to use words that clearly show that the caller believed they were witnessing an overdose – and not another kind of medical emergency.<sup>2</sup>

Opioid overdoses can often be reversed if a person receives emergency medical attention in time. However, people are often afraid to call emergency services for help for fear of arrest and prosecution. The Maine legislature recognized that saving lives was more important than punishing someone for a low-level drug offense when it enacted the Good Samaritan law.

Under the Supreme Judicial Court's recent interpretation of the law, the Good Samaritan statute only applies when a caller suspects *a drug-related overdose*, not when the caller is concerned about *a medical event*. Under the Court's restrictive interpretation of the law, a concerned passerby's failure to use exactly the right words in their emergency call meant that the defendant was not protected from prosecution for an OUI.

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<sup>1</sup> 17-A M.R.S. §1111-B.

<sup>2</sup> *Maine v. Beaulieu*, 2025 ME 4, ¶19.



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The implications of the Court's ruling lead to the bill before this Committee, clarifying the intent of the statute and expanding it to include "a call for assistance for a person exhibiting symptoms of a drug-related overdose."

Witnessing a potentially deadly drug overdose can be extremely stressful, and most people are not familiar with the intricacies of every state law. It is unwise, unfair, and unsafe to expect or require people in an emergency situation to know exactly what magic words to use when calling for help. The greatest concern of a person in this situation should be how they can most quickly get help and save a life—not if they are using precisely the right phrasing to be protected under the law.

By amending the Good Samaritan law to include calls for assistance for a person exhibiting symptoms of a drug-related overdose, this Committee will continue to invest in Maine's public health response to opioid overdoses and save more lives.

We urge you to vote ought to pass.