

TESTIMONY OF MICHAEL KEBEDE, ESQ.

LD 1422 – Ought Not To Pass

**An Act To Strengthen Laws Protecting Members of Law
Enforcement and Promote In-classroom Drug Use Avoidance Education**

Joint Standing Committee on
Criminal Justice and Public Safety

May 12, 2021

Senator Deschambault, Representative Warren and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, greetings. My name is Michael Kebede, and I am Policy Counsel of 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 the ACLU of Maine, we urge you to vote that LD 1422 *ought not to pass*.

If enacted, this bill would do two things: fund drug abstinence education programs by \$1,000,000, and add police to Maine's hate crimes statute. Both of these reforms, although clearly well-meaning, would represent steps backwards for this committee, which has made great strides in recent years to support policies that are evidence-based and move everyone in our state forward.

Hate Crimes

Adding police to Maine's hate crimes statute would be a wholly inappropriate amendment and an affront to the foundational precedent for hate crimes legislation. These laws were intended to aid prosecutions for crimes that were typically under-charged or not charged at all – like crimes where people beat or murdered African-Americans and received very light sentences.

By contrast, since the beginning of the development of modern police departments in the 1820s, there is absolutely no record that crimes against police officers or other first responders have been treated frivolously. There is no record that such crimes have not been prosecuted because prosecutors want people to get away with the crime. And after conviction for these crimes, there is no record of sentences so low that they were insulting. That is the history required to justify a hate crime, and it simply does not apply to violence against police.

Drug Abstinence Education

Drug abstinence education does not work. In fact, advising young people not to do something is one sure way to ensure that they do it. What does work is treatment, de-stigmatization, and mitigation of the factors that inculcate despair throughout our society. In order to make a difference in the opioid overdose crisis, legislators must appropriate money for those items. We also recommend ending the criminalization of people who use drugs. Ending prohibition is not a panacea. It will not by itself end substance use disorders. Nor will it bring about social and economic revitalization. However, ending prohibition, hand in hand with increasing treatment and other life-affirming supports such as housing, could foster the redirection of public resources toward social development, legitimate economic opportunities and effective treatment, thus enhancing the safety, health and well-being of the entire society.

We urge you to vote *ought not to pass*.