

TESTIMONY OF MICHAEL KEBEDE, Esq.

LD 1588 – Ought To Pass

**Resolve, To Convene a Working Group To Identify and Find Replacements for Certain Stigmatizing References throughout the Maine Revised Statutes and Government Publications**

JOINT STANDING COMMITTEE ON  
CRIMINAL JUSTICE AND PUBLIC SAFETY

May 14, 2021

Senator Deschambault, Representative Warren, and members of the Joint Standing Committee on Criminal Justice and Public Safety, good afternoon. My name is Michael Kebede, and I am policy counsel 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 through advocacy, education, and litigation. On behalf of our members, we urge you to vote that LD 1588 *ought to pass*.

More than two thousand years ago, a philosopher named Parmenides pointed out that our manner of describing things changes the way we understand them.<sup>i</sup> Modern understandings of social psychology bear that out. One example is our understanding of substance use. Whereas we used to understand drug addiction as arising from someone's purported moral failings, changes in thinking and advances in scientific research caused substance use disorders to be understood as medical conditions.<sup>ii</sup> Deriding people with substance use disorders is humiliating for them, and it reinforces feelings of isolation that often led to substance use in the first place.<sup>iii</sup> The idea that you can shame someone out of addiction has been, at this point, exposed as a dangerous practice.<sup>iv</sup>

Using stigmatizing language might seem like a small matter, but the tendency to define ourselves in relation to, and express scorn for, perceived outgroups is deeply ingrained in the way we tend to process the world around us.<sup>v</sup> Unfortunately, some private citizens may continue to hold prejudices against people with substance use disorders. Recent years have shown us that substance use disorders can happen to anyone,<sup>vi</sup> and that our past approach was

unproductive and unfair. This bill would set in motion a collaborative process to tackle this problem.

We urge you to vote *ought to pass*.

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<sup>i</sup> See Simplicitus, *Commentary on Aristotle's Physics* 145.1–146.25 reprinted in *INTRODUCTORY READINGS IN ANCIENT GREEK AND ROMAN PHILOSOPHY* 17 (C.D.C. Reeve & Patrick Lee Miller, eds., 2015) (“What is to be thought of is the same as that on account of which the thought is. For not without what-is, on which it depends, having been solemnly pronounced, will you find thinking; for nothing else either is or will be except what-is, since precisely this is what Fate shackled to be whole and motionless. Therefore it has been named of all things that mortals, persuaded that they are real, have posited both to be generated and to to perish, to be and not, and to change place and alter bright color.”).

<sup>ii</sup> See Hannah Cooper, *Medical Theories of Opiate Addiction's Aetiology and Their Relationship to Addicts' Perceived Social Position in the United States: an Historical Analysis*. 15 *INT'L J. OF DRUG POL'Y* 435, 436–443 (2004).

<sup>iii</sup> For an entertaining video that explains some of the research underlying these concepts in an accessible way, see *Addiction*, KURZGESAGT, available at <https://www.youtube.com/watch?v=C8AHODc6phg>.

<sup>iv</sup> See, e.g., generally Richard J. Bonnie & Charles H. Whitebread, *The Forbidden Fruit and the Tree of Knowledge: An Inquiry into the Legal History of American Marijuana Prohibition*, 56 *Va. L. Rev.* 971 (1970) (phenomenal history of marijuana laws and punishment in the United States).

<sup>v</sup> See COTTAM ET AL., *POLITICAL PSYCHOLOGY* 54 (3rd ed. 2016) (“[W]e organize the social world in terms of social categories. We all make assumptions about other people, ourselves, and the situations we are in. Sometimes we are very wrong, but often our expectations are functional. The first step in perceiving another person is to classify the person or situation as fitting a familiar category.”)

<sup>vi</sup> *Opioid Data Analysis and Resources*, CDC, (noting that “Nearly 450,000 people died from overdoses involving any opioid, including prescription and illicit opioids, from 1999-2019.”) Available at <https://www.cdc.gov/drugoverdose/data/analysis.html>.