

Testimony in Support of LD 1862: An Act to Strengthen Maine's Good Sam Laws Concerning Drug Related Medical Assistance

Dear Senator Desambault, Representative Warren, and Honorable Members of the Criminal Justice and Public Safety Committee,

My name is Chasity Tuell and I am a lifelong resident of Washington County, currently residing in Marshfield. I am a person in long term recovery and operate two Syringe Service Programs (SSP), certified by the Maine Center for Disease Control (CDC), as the Washington County Program Director for Maine Access Points. Both my personal and professional life is deeply rooted in supporting and advocating for people who use drugs.

I am a strong supporter of "*LD 1862: An Act to Strengthen Maine's Good Sam Laws Concerning Drug Related Medical Assistance.*" for a variety of reasons, the main one being we are losing 12 Mainers a day, and fear of criminalization plays a large role in that. However, instead of listing the many reasons why this is needed, I'd like to share a story about my friend to highlight some major barriers of the existing law.

We know that people who use drugs are the real first responders at the scene of an overdose. Knowing this we, as harm reductionists, and even the state, give people practical life-saving advice like "Never use alone, take turns using with a friend, have naloxone and know how to use it, and call 911." However, a vast majority of the overdose reversal reports we get at MAP, people tell us they do not call 911 due to fear of criminalization.

My friend has saved countless lives by following these principles and making sure everyone around him has Naloxone and knows how to use it. The times that that was not enough and he called 911, regardless of the consequences he may personally face, police always show up (even though this particular department does not carry Naloxone). He has been harassed, taunted even, with the existence of the current Good Samaritan Law, which is then always followed by a mandatory drug test and a random check in by his probation officer.

Unfortunately a couple months ago, while his lifelong best friend was home visiting, his best friend overdosed. My friend did everything right to try and save his life. He gave him multiple doses of Naloxone. He performed CPR. He called 911. He went and woke up his friend's mother to come help him. After EMS arrived, he helped them with the ambu bag and begged them to give him more Naloxone, they wouldn't. His best friend of over 30 years died in his arms, despite

him trying everything possible to save him. He was immediately called into probation the next day for a “random” drug screening and required to check in weekly after being set up as monthly.

The grief and regret of not being able to save his friend, his brother, was a life changing moment for him. That is guilt you just don’t forget. In the weeks following his death, my friend started back in a Methadone program; he was working two jobs; he had all of his fines paid off and was working towards getting his license back for the first time in 10+ years. He used that grief and regret towards changing his life, in honor of his friend, and was doing the best he had been in 20 years. Then, almost two months after watching his best friend die in his arms, the police showed up at his house, originally saying it was for a probation hold, even though he had been doing so well probation had just moved him back to monthly check ins, which immediately turned into arresting him for manslaughter for his best friend’s death. I can promise you, no sentence from the criminal justice system will be worse than the guilt and grief he already lives with every single day since.

My friend has personally saved dozens of lives, either personally or by providing his friends with Naloxone. The life that meant the most to him, he couldn’t save but the system immediately jumped in to punish him for it. This has set such a devastating precedent. People are already terrified of calling 911 for fear of their own lives being changed and effected by criminalization. Seeing and hearing about someone who did every single thing right that he could being charged with manslaughter is going to have detrimental effect. It is going to scare people away even more from calling.

Passing LD 1862, is a necessary, needed step in addressing the current overdose crisis and eliminating some barriers for people to access life-saving care. There are far more reasons of why this should pass than why it should not. Simply put, our communities cannot afford, both figuratively and literally, to not have this pass.

Thank you for taking my testimony into consideration as you look at the future of this bill. I am available if you have any further questions either now or at the contact information I’ve provided.

Sincerely,

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