

TESTIMONY OF MICHAEL KEBEDE, ESQ.

Ought to Pass – LD 964

**An Act To Expand Access to Certified Substance
Use Disorder Recovery Residence Services**

Submitted to the

JOINT STANDING COMMITTEE ON
HEALTH AND HUMAN SERVICES

April 6, 2021

Senator Claxton, Representative Meyer, and distinguished members of the Joint Standing Committee on Health and Human Services, good morning. My name is Michael Kebede, and I am the Policy Counsel at the ACLU of Maine, a statewide organization committed to advancing and preserving civil rights and civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, we urge you to support LD 964 because it would help Maine transition from a state that treats substance use disorders as crimes to be punished to one that treats them as illnesses to be treated.

Last year, at least 502 people died in Maine as a result of drug overdoses.¹ During the same period, our state saw between 450 and 700 confirmed deaths from COVID-19.² But our response to these two crises has not been similar. Our response to the decades-long substance use crisis has tilted heavily toward the use of police, courts, jails, and prisons. We have tried to arrest and incarcerate our way out of our despair-driven drug overdose crisis. The results have been

¹ Gillian Graham and Joe Lawlor, *Maine overdose deaths set new record in 2020, and 2021 started even worse*, Press Herald, Feb. 18, 2021, <https://www.pressherald.com/2021/02/18/maine-reports-501-drug-overdose-deaths-in-2020-worst-year-on-record/#:~:text=Maine%20recorded%20its%20worst%20year,during%20the%20COVID-19%20pandemic.>

² See generally Maine Center for Disease Control & Prevention, COVID-19: Maine Data, <https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/data.shtml>.

disastrous. Our jails have become default depositories in lieu of sufficient mental health or substance-use-treatment. Indeed, well over a majority of people incarcerated in Maine's jails currently receive psychotropic medications. This cannot continue.

The bill before you would remove a barrier to long-term recovery: lack of stable housing. General Assistance exists “for the immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families.” 22 M.R.S.A. §4301(5), which includes shelter. In order to enter or maintain recovery, a recovery residence may be essential to a person with substance use disorder. Furthermore, it is bad policy—and a potential violation of the Americans with Disabilities Act—to discourage a person's recovery by denying emergency assistance solely because they seek to stay in a recovery residence. We urge the committee to vote *ought to pass*.