



121 Middle Street, Suite 301  
Portland, Maine 04101  
T/ (207) 774-5444  
F/ (207) 774-1103  
www.aclumaine.org

TESTIMONY OF GRAINNE DUNNE.

**LD 1686 – Ought To Pass**

**An Act to Address Preventable Deaths from Drug Overdose**

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

February 5, 2014

Senator Craven, Representative Farnsworth, and members of the Committee on Health and Human Services, greetings. My name is Grainne Dunne, and I am the Justice Organizer 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, we ask you to vote “ought to pass” on LD 1686.

Programs that increase the availability of naloxone have been proven to save lives. For instance, in San Francisco, naloxone has been distributed since the late nineties with support from the city’s Department of Public Health. Since then, heroin overdose fatalities decreased from a high of 155 deaths in 1995 to only 10 deaths in 2010.<sup>1</sup> Similarly, in response to a surge in overdose deaths, in 2010 the police department of Quincy, Massachusetts successfully led efforts to expand the availability of naloxone. Within 18 months they had reduced the death rate by 66 percent.<sup>2</sup>

Drug use is fundamentally a public health issue and must be dealt with as such. Successful drug policies incorporate prevention, treatment and public safety. Health care professionals who assist in preventing overdose deaths in Maine should not be penalized for doing so. Those best positioned to assist a person at risk of an overdose – including family members, community health providers, first responders and basic emergency medical technicians – should be able to act to save a life without fear of civil or criminal sanctions.

Opponents of this bill speculate that increasing availability of naloxone will lead to increased drug use. However research does not support this claim. To the contrary, a six-month study of the pilot program in San Francisco found that program participants who had access to naloxone were injecting opioids less frequently and even noted a small increase in participants entering drug treatment programs.<sup>3</sup>

<sup>1</sup>Young, Melinda. "Study Shows Naloxone Kits Cost-effective in Preventing Overdose Deaths." *UW Today*. University of Washington, 31 Dec. 2012. Available at: <http://www.washington.edu/news/2012/12/31/study-shows-naloxone-kits-cost-effective-in-preventing-overdose-deaths/>

<sup>2</sup> Hench, David. "As Maine Heroin Overdoses Soar, a Life-saving Drug Is within Reach." *Portland Press Herald*, 4 Feb. 2014. Available at: [http://www.pressherald.com/news/As\\_Maine\\_heroin\\_overdoses\\_soar\\_a\\_life-saving\\_drug\\_is\\_within\\_reach\\_.html?pagenum=2](http://www.pressherald.com/news/As_Maine_heroin_overdoses_soar_a_life-saving_drug_is_within_reach_.html?pagenum=2)

<sup>3</sup>Maxwell, S. Bigg, D. Stanczykiewicz, K. Carlberg-Racich, S. “Prescribing Naloxone to Actively Injecting Heroin Users: A Program to Reduce Heroin Overdose Deaths.” *Journal of Addictive Diseases* (2006). Available at: [http://www.ihra.net/files/2010/08/23/Maxwell\\_-\\_Prescribing\\_Naloxone.pdf](http://www.ihra.net/files/2010/08/23/Maxwell_-_Prescribing_Naloxone.pdf)

In Maine, one thing is certain: people are dying from opioid overdoses. And the problem is getting worse. According to statistics from the office of the Attorney General, heroin deaths *quadrupled* in Maine from 2011 to 2012.<sup>4</sup> These deaths are preventable.

Last year the ACLU of Maine testified in support of LD 1046, An Act To Provide Immunity for Prescribing and Dispensing Intranasal Naloxone Kits. While these bills have similarities, LD 1686 is a much more comprehensive bill. It will protect persons who prescribe, possess or administer naloxone from fear of prosecution. It will also ensure that naloxone is available to those who need it most, by allowing the people best positioned to assist in an opioid-related drug overdose to possess naloxone; authorizing administration of naloxone by emergency personnel; and allowing safe, third-party distribution of naloxone.

Overdose prevention is just one piece of a larger puzzle in addressing this public health issue. Because LD 1686 will save lives by increasing access to naloxone for those who are in danger of overdose, we encourage you to vote ought to pass.

---

<sup>4</sup> Russell, Eric, and David Hench. "Fatal Overdoses Quadruple as Heroin Tightens Grip on Maine." *Portland Press Herald*, 16 Jan. 2014. Available at: [http://www.pressherald.com/news/Heroin\\_deaths\\_quadrupled\\_in\\_Maine\\_from\\_2011\\_to\\_2012\\_.html?utm\\_content=buffer497a7&utm\\_medium=social&utm\\_source=twitter.com&utm\\_campaign=buffer](http://www.pressherald.com/news/Heroin_deaths_quadrupled_in_Maine_from_2011_to_2012_.html?utm_content=buffer497a7&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer)