



ACLU OF MAINE
121 MIDDLE STREET
SUITE 301
PORTLAND, ME 04101
(207) 774-5444
WWW.ACLUMAINE.ORG

TESTIMONY OF OAMSHRI AMARASINGHAM, ESQ.

LR 2599 An Act To Combat Drug Addiction through Enforcement, Prevention, Treatment and Recovery

**In Opposition to Part A
In Support of Parts C, D, and E**

JOINT STANDING COMMITTEES ON APPROPRIATION AND FINANCIAL AFFAIRS;
CRIMINAL JUSTICE AND PUBLIC SAFETY; and HEALTH AND HUMAN SERVICES

January 5, 2016

Senator Hamper, Representative Rotundo and members of the Joint Standing Committee on Appropriations and Financial Affairs; Senator Rosen, Representative Fowle and members of the Joint Standing Committee on Criminal Justice and Public Safety; Senator Brakey, Representative Gattine, and members of the Joint Standing Committee on Health and Human Services greetings. My name is Oamshri Amarasingham, and I am the Advocacy Director 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 oppose Part A and support Parts C, D, and E of LR 2599.

Part A

In 2014 and again last year, we opposed similar measures to significantly increase the size of the Maine Drug Enforcement Agency (MDEA). After more than 45 years of a law enforcement centered approach, we know that increased enforcement will not curb substance abuse and addiction in Maine. The fact remains that most drug arrests in Maine are for possession offenses.¹ Drug arrests increase each year alongside increasing numbers of overdose deaths. Meanwhile, access to treatment continues to decline as Mainers lose health insurance and treatment centers close.

While we are philosophically opposed to adding more money to the failed drug war, we are also concerned that the fiscal note in the current proposal is flawed. The current proposal provides far more dollars than necessary for 10 agents. The bill allocates \$800,000 for one year of funding, which comports with previous cost estimates for 10 agents, but inexplicably doubles the amount for the second year. If the committee moves forward with the proposal, we urge the committee to clarify how the additional \$800,000 will be spent.

¹ Muskie School of Public Service, *Maine Crime and Justice Data Book 2014*.

Parts C, D, and E

We applaud the bill's sponsors for bringing forth a proposal that allocates money for treatment and prevention but we are concerned that Medication Assisted Treatment (MAT) is not included. In 2013, the Portland Press Herald reported that there were less than 200 beds available for substance abuse rehabilitation, *less than one-half of one percent* of the 4,800 people who sought treatment for opiates in that year alone.² Since then, several treatment centers, including Maine's largest, have shut their doors for lack of funding. LR 2599 has the potential to comprehensively address Maine's drug problem, but we believe restoring and increasing MAT funding is critical to success.

LR 2599 approaches the drug problem as if we are starting at zero. We are not. Over the last several decades, incredible sums of money have been spent on arrests and incarceration. Prisons and jails have grown while treatment centers have closed. We urge the committee to carefully allocate the \$4.8 million at stake here to ensure that Mainers suffering from addiction find treatment beds, not jail beds.

² Eric Russell, *Drug Treatment Funding in Maine is Falling, but Demand is Greater than Ever*. Portland Press Herald, February 23, 2014.