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**LD 661 – Ought Not To Pass**

**An Act To Prohibit Sale or Possession of Synthetic Cannabinoids**

JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

March 22, 2013

Senator Gerzofsky, Representative Dion, and members of the Committee on Criminal Justice and Public Safety, greetings. My name is Oami Amarasingham, and I am Public 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. On behalf of our members, we ask you to vote “ought not to pass” on LD 661.

The ACLU of Maine has serious concerns about the proposal to criminalize sale or possession of synthetic cannabinoids. At a time when Maine faces a budget crisis and our jails and prisons have limited resources, the legislature should seek more efficient ways to address the serious problem of drug abuse.

Maine law provides for more lenient treatment of *actual* marijuana possession – recognizing the more negligible health and safety risks of marijuana use on both the user and the broader community as compared to other scheduled substances.<sup>1</sup> At a time when the nation is moving toward more sensible marijuana policy, as evidenced by recent successful legalization efforts in Washington and Colorado, it makes little sense to focus our efforts in Maine on increasing penalties for synthetic cannabinoids.

We have heard no reports that Maine communities are facing a surge of crimes related to synthetic cannabinoid trafficking or addiction, nor of the concerning use of synthetic cannabinoids among our state’s young people.

Banning possession of synthetic cannabinoids is another example of criminalizing activity that should instead be treated as a public health issue at a time when our state can least afford it.

Particularly in these tough times, we urge the Committee to focus, instead, on reducing our prison population through alternatives to incarceration – not creating harsh new penalties for drug use and possession. Please vote “ought not to pass.”

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<sup>1</sup> See 17 M.R.S.A. § 1107-A.