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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 25-H 5186, ACTS RELATING TO FOOD AND DRUGS – UNIFORM CONTROLLED SUBSTANCES ACT February 11, 2025

The ACLU of Rhode Island has long supported measures to decriminalize the possession of certain drug substances and/or lower the possessed amount of controlled substances which may constitute a crime, and for that reason we support this legislation.

This bill specifically would decriminalize and permit the possession and use of psilocybin, and would also allow for the prescribing of psilocybin for the treatment of mental or behavioral health disorders. Psilocybin in particular has been noted for its potential use for the treatment of a number of psychiatric disorders, including obsessive compulsive disorder, depression, and anxiety,¹ and this legislation would give medical professionals the flexibility to use and prescribe substances that are most appropriate and may prove most effective for a patient.

Overall, the overcriminalization of controlled substances – and the disproportionate impact that this has had in particular on BIPOC communities – is a foundation of our current mass incarceration crisis. In addition to the significant and harmful racial disparities in our criminal justice system that enforcement of controlled substance offenses has perpetuated, it is simply bad public health policy to incarcerate or criminally charge individuals who are experiencing a substance use disorder or otherwise using controlled substances.

A punitive approach to controlled substances has not resulted in a lessening of use nor has it positively impacted the proliferation of these substances in our communities. Rather, the enormous investment that has been made in law enforcement for this purpose should and would be better spent directly providing tangible resources for communities that have been harmed by overcriminalization, and ensuring that individuals who would like to seek treatment for substance use issues can do so in non-stigmatizing and non-carceral formats.

For the reasons noted above, we are supportive of the goals of this legislation and support passage. Thank you for your consideration.

¹ <https://drugpolicy.org/drug-facts/psilocybin-mushrooms-medicine-therapy>