



STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE DRUG ENFORCEMENT AGENCY

JANET T. MILLS
GOVERNOR
MICHAEL J. SAUSCHUCK
COMMISSIONER

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DIRECTOR

129TH MAINE LEGISLATURE
THE JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

MAINE DEPARTMENT OF PUBLIC SAFETY

MARCH 2, 2020

RE: LD 1492 – An Act to Reform Drug Sentencing Laws

Senator Deschambault, Representative Warren, Honorable members of the Joint Standing Committee on Criminal Justice and Public Safety:

The Department thanks you for having had the opportunity to share its position on LD 1492 during the work session and stakeholder meetings since this bill's public hearing on May 13, 2019. Police witness firsthand the significant impact that illegal drugs have on individuals, families, and our communities in Maine. Police have responded with implementing multiple diversion programs across the state such as Operation Heroin-Opiate Prevention Effort (HOPE). Police across the state work every day to impact the supply of drugs to stem their proliferation within their communities.

The Department does not support all the sweeping changes put forth in LD 1492. Prosecutors, working with defense counsel, seek a fair and balanced outcome if those charged with a drug offense that weighs public safety and that of the person before the court. One area of LD 1492 that the Department is agreeable to are changes that eliminate those criminal penalties regarding the distribution of hypodermic apparatuses to support a public health response.

On behalf of the Department of Public Safety, I thank you for your time.

Sincerely;


Roy E. McKinney
MDEA Director

Reaching Maine People At Risk and In Crisis

February 12, 2020

Maine people should have access to mental health and substance use disorder interventions and treatment at the right time and in the right settings. While long-term strategies are being developed to strengthen Maine's systems and divert people facing behavioral health challenges from the criminal justice system, we cannot wait. This is why in the first year of the Mills Administration, numerous actions have been taken and launched. This represents work to date by the Maine Departments of Health and Human Services (DHHS), Labor (DOL), Corrections (DOC), Public Safety (DPS) and Education (DOE).

Actions to Date

Adults

Prevention and Diversion

- Piloting a \$3 million crisis center with consent decree funding
- Dedicated up to \$750,000 for medication management grants with consent decree funding
- Secured \$700,000 in the biennial budget to create a dedicated crisis intake unit for adults with developmental / intellectual disabilities, which takes strain off of the mental health crisis system
- Attended mental health dockets
- Secured \$1.5 million in the biennial budget to support pre- and post-arrest Law Enforcement Assisted Diversion programs
- Partnered with McLean Hospital of Massachusetts on a campaign to destigmatize seeking support for mental health

Treatment and Intervention

- Expanded MaineCare, which has provided mental health treatment to more than 16,000 Maine people and substance use disorder treatment to more than 6,500 Maine people
- Updated behavioral health homes in MaineCare and increased participation from 6,732 adults in February 2019 to 7,557 in December 2019;
- Increased participation in opioid health homes from 781 in February to 2,008 in December 2019
- Received \$2 million from the federal SUPPORT Act to expand substance use disorder treatment;
- Will receive \$5.3 million in federal funding for residential family treatment for mothers with substance use disorders through the Maternal Opioid Misuse (MOM) initiative;
- Secured \$5.5 million in the biennial budget for a new inpatient unit at Dorothea Dix Psychiatric Center
- Received nearly \$10 million more in 2019 in Federal disproportionate share hospital funding with the recertification of Riverview Psychiatric Center
- Made medication for treatment of opioid use disorder (MAT) available in all Department of Corrections facilities for offenders meeting criteria

- Received \$750,000 in federal funds over three years to address the needs of incarcerated females who have a mental illness or a co-occurring substance use disorder
- Provided funding and technical assistance to county jails for the development and implementation of MAT for opioid use disorder.
- Provided training and technical assistance to hospitals so that now more than half of the state's emergency departments offer rapid induction of MAT and are reducing the use of prescription opioids.

Reintegration

- Created DHHS / DOC partnership to increase enrollment in public programs: From June to November, 1,970 people were assisted at intake on applying for DHHS benefits, with 496 leaving Maine State Prison with benefits (SNAP, MaineCare)
- Supported medication assisted treatment (MAT) in jails and prison, with reentry support (98% of those leaving prison attended first visit)
- Revised and improved protocols for intensive case managers that connect people at reentry to behavioral health services
- Established Corrections Liaisons in each Vocational Rehabilitation office to promote smoother reentry to employment for those with disabilities exiting incarceration or on probation
- Piloted delivery of a Career Exploration curriculum at the Maine Correctional Center to build employment readiness skills for reentry to employment
- Supported Maine Works in assisting individuals with substance use disorders who have been incarcerated to reenter the workforce

Children

Prevention and Diversion

- Provided nearly \$3 million from Fund for Healthy Maine Opioid Funding for at-risk youth to:
 - Implement new DOE social emotional learning curriculum in 700 schools
 - Increase the number of schools implementing Second Step and Sources of Strength
 - Increase the capacity within school-based health centers to provide additional mental and behavioral health services, prioritizing high-risk youth
 - Provide schools with restorative practices support, education, and technical assistance
 - Supporting training in Trauma-Focused Cognitive Behavioral Therapy (TF-CBT)
 - Piloting an expansion of aftercare and crisis stabilization services in Aroostook and Washington County
- Convened a Trauma Informed Task Force consisting of clinicians, educators, mental health agencies and administrators to identify and address needs for Trauma Informed Practices in schools across the state
- Added six new positions in DOE focused on prevention and support for schools
 - Social Emotional Learning / Restorative Specialist
 - Mental Health / School Counseling Specialist
 - Cultural / Family Engagement Specialist

- School Safety Coordinator
 - School Safety Specialist
- Directed trauma informed training and support for school districts to include multi-tiered system of supports (MTSS) development of identification of needs and appropriate response
- Convened a work group to explore the role and impact of School Resource Officers in supporting Trauma Informed Schools. (Goal of developing a model MOU)
- Created a position within DOC to create a Credible Messenger program. Credible Messenger Mentoring provides juveniles with a caring adult with similar life experiences to promote prosocial behaviors and relationships within the community
- Established a Cooperative Agreement with the Muskie School of Public Health to strengthen administrative and cross-system practice and measurement of results that contribute to youth justice reform and deepen gender and racial equity strategies
- Helped secure a \$3.3 million federal Housing and Urban Development grant to New Beginnings on homeless youth (partnership with State agencies)

Treatment and Intervention

- Created and are implementing child behavioral health strategies, including immediate actions like revising the waitlist process
- Updated behavioral health homes in MaineCare and increased participation from 5,058 children in February 2019 to 5,599 in December 2019;
- Developed a Model Discipline Policy for schools that emphasizes Restorative Practices to reduce the use of exclusionary practices and strengthen students' connection to their community
- In response to feedback from educators, held a conference in January to support the development of a strategic approach to include Trauma Informed Practices in schools
- Partnered with AdCare and the federal government for Student Intervention Reintegration Program (SIRP) which provides education to at-risk youth around substance use
- At Long Creek Youth Development Center, contracted with outside specialist to provide trauma-response training for direct care and treatment staff

Reintegration

- Opened Bearings House using MDOC staff for Community Custody males in a nonsecure community-based setting
- Contracted with Youth Advocate Program (YAP) to serve male and female youth transitioning out of Long Creek
- Awarded \$775,775 over three-years through Federal Second Chance Reentry Grant for youth reentering the community following secure confinement. The program will fund the following programs:
 - The Community Success Program (Bearings House)
 - Opportunity Scholars (\$31,000)
 - Muskie School of Public Health, Research and Evaluations (\$45,000)
 - Credible Messenger Programs (YAP, \$100,000)
 - Housing Assistance (\$31,000)

Commentary: Working together to reach Maine people at risk and in crisis

centralmaine.com/2020/02/19/commentary-working-together-to-reach-maine-people-at-risk-and-in-crisis/

By Jeanne Lambrew and Randall Liberty

February 19, 2020

As commissioners of the Maine departments of Health and Human Services and Corrections, we work toward making some of our services unnecessary. We strive to limit how often individuals stay in psychiatric hospitals or return to prison after being released, so they can live their lives safely in our communities.

Under the administration of Gov. Mills, we, along with Public Safety Commissioner Michael Sauschuck and Education Commissioner Pender Makin, took on systems that excel in some areas but also have suffered from logjams, gaps in services and long-term erosion in capacity.



ABOUT THE AUTHORS

Jeanne Lambrew is commissioner of the Maine Department of Health and Human Services, and **Randall Liberty** is commissioner of the Maine Department of Corrections.

With dedicated staff across our departments, we have rolled up our sleeves to tackle these challenges. This includes developing comprehensive cross-departmental strategies to improve mental health and substance use disorder treatment for both adults and youth. This begins with community-based prevention and layers in progressively more intensive services for treatment and recovery support. Institutions should serve as the last resort.

As we pursue these fundamental reforms, we are taking concrete steps now. We, working with our partners at the Public Safety, Education and Labor departments, have undertaken over 35 actions related to prevention and diversion, treatment and reintegration.

The most immediate focus has been on crisis services. The decisions made in moments of crisis can determine an individual's fate. This is why the biennial budget included \$1.5 million to support programs that help keep people out of jails and prisons and connect them with needed services. The budget also provided \$700,000 to create a dedicated team at DHHS to help adults with developmental and intellectual disabilities who are experiencing a crisis, taking some strain off the mental health crisis system.