

TESTIMONY OF MICHAEL KEBEDE, ESQ.

LD 2109 – Ought Not to Pass

**An Act to Maintain State Police Rural
Patrol Services at 2020 Staffing Levels**

Joint Standing Committee on
Criminal Justice and Public Safety

January 29, 2024

Senator Beebe-Center, Representative Salisbury and members of the Joint Standing Committee on Criminal Justice and Public Safety, good morning. My name is Michael Kebede and I am 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 oppose LD 2109, a bill that would arbitrarily require the state to spend its limited resources on law enforcement at 2020 levels, regardless of the state's needs in future years.

Over the past several years, our state and our nation have closely examined the efficacy of turning law enforcement officers into first responders to behavioral and mental health crises. To read the Maine Attorney General's Deadly Force Review Panel reports is to read story after story of the state responding with lethal violence to mental and behavioral health illnesses that have long been untreated.¹ If Maine had invested heavily in its mental and behavioral health infrastructure, perhaps there would have been fewer lethal confrontations between police and people in crisis. Dallas Police Chief David Brown said it best:

“We’re asking cops to do too much in this country,” . . . “We are. Every societal failure, we put it off on the cops to solve. Not enough mental health funding, let the cops handle it. . . . Here in Dallas we got a loose dog problem; let’s have the cops chase loose dogs. Schools fail, let’s give it to the cops. . . . That’s too much to ask. Policing was never meant to solve all those problems.”²

¹ Available here: <https://www.maine.gov/ag/news/index.shtml>

² Brady Dennis, Mark Berman and Elahe Izadi, *Dallas police chief says ‘we’re asking cops to do too much in this country’*, WashPo, Jul. 11, 2016, available at <https://www.washingtonpost.com/news/post->

Maine conforms to this national picture. The overwhelming share of police work throughout Maine towns and cities does not require the use of force, but instead more closely resembles healthcare or social work. For example, in Westbrook, only 0.43% of 911 calls in 2019 resulted in a use of force.³ Every Maine municipal and state law enforcement workload analysis has found something similar: at least nine times out of ten, calls for police service do not actually call for an armed response. Another response would be just as, if not more, adequate.

Three years ago, Mallory Shaughnessy, Executive Director of the Alliance for Addiction and Mental Health Services, Maine testified to the HHS committee:

As a member of the 2019 Working Group on Mental Health and specifically a member of the crisis services subgroup, I can tell you that the discussion with the task force quickly went to the gaps in our system of care for those struggling with mental illness in crisis. It also went to the unfortunate intersection of law enforcement and the mentally ill in our communities. . . . Too often, when someone has a mental health crisis, the only response available is to call law enforcement.

[O]ur law enforcement community does not know what to do when they come across someone in a mental health crisis in the middle of the night[,] that the Crisis Stabilization Units are too few and far between, and that mobile response is largely nonexistent across the state of Maine.”⁴

Maine ranks 9th worst in the nation for prevalence of mental illnesses,⁵ 20th worst for adults with a mental illness who did not receive treatment, and 9th worst for adults with mental illness who are uninsured.⁶ This committee, and the Maine

nation/wp/2016/07/11/grief-and-anger-continue-after-dallas-attacks-and-police-shootings-as-debate-rages-over-policing/

³ Meredith Emigh-Gyu, Ph.D, AN EXAMINATION OF FORCE USED BY WESTBROOK PD IN 2019, *available at*, https://www.westbrookmaine.com/AgendaCenter/ViewFile/Agenda/_12212020-653

⁴ *Testimony in support of LD 968 Resolve, To Expand Mental Health Crisis Intervention Mobile Response Services*, April 12, 2021, *available*

atlegislature.maine.gov/testimony/resources/HHS20210412Shaughnessy132626798386673276.pdf

⁵ Reinert, M, Fritze, D. & Nguyen, T. (October 2022). “The State of Mental Health in America 2023” Mental Health America, Alexandria VA., at 13 *available at*

<https://mhanational.org/sites/default/files/2023-State-of-Mental-Health-in-America-Report.pdf> at 13

⁶ *Id.* at 21.



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legislature, should invest in upstream solutions to untreated mental and behavioral illness. This bill would commit the state's resources to a downstream solution, and one that arbitrarily picks 2020 as the appropriate year to which to peg rural patrol numbers. Given the state's limited resources, we urge you to vote *ought not to pass*, and to invest the state's revenues in healthcare infrastructure.