



Consumer Council System of Maine
A Voice for Consumers of Mental Health Services

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Good afternoon, Senator Ingwersen, Representative Meyer and esteemed members of the Health and Human Services Committee,

My name is Simonne Maline, I am the Executive Director for the Consumer Council System of Maine (CCSM). I am here today on behalf of the CCSM to testify in support of **LD 769 “An Act Regarding Access to Behavioral Health Supports for Adults with Certain Disabilities”**.

The Consumer Council System of Maine is a public instrumentality written into State Statute by the Maine Legislature to serve in an advisory capacity and to provide legislators with guidance and advice regarding the delivery of effective and appropriate adult mental health services from those served by them.

Current census data estimates Maine’s population at 1.37 million, with approximately 1.8% (24,660 individuals) diagnosed with an intellectual or developmental disability (IDD). Based on studies, it has been estimated that about one-third of individuals with IDD, approximately 8,137 Mainers—also have co-occurring mental health needs. The experiences of our peers demonstrate why LD 769 is so critical. This bill would prohibit the use of restraints against adults with developmental disabilities in non-emergency circumstances, whether or not a person has a co-occurring mental health label. We strongly support this measure and believe it should also extend to children with developmental disabilities.

In Maine’s mental health group homes, the Rights of Recipients already states that “restraint may be employed only when absolutely necessary to protect the recipient from serious physical injury to self or others and shall impose the least possible restriction consistent with its purpose.” There is no justification for applying a different, more permissive standard to individuals with developmental disabilities. LD 769 would ensure greater consistency across disability services and affirm the fundamental rights of all people with disabilities to be free from harm and unnecessary control.

Rather than providing care or support, restraints instill fear, strip individuals of their autonomy, and create a system that prioritizes control over dignity. The use of restraints is deeply traumatizing and dehumanizing. Beyond their psychological impact, restraints can cause serious physical harm and even death. Most importantly, restraints are unnecessary when better alternatives exist. Evidence-based approaches such as positive behavior supports, trauma-informed care, and supported decision-making allow individuals with IDD to navigate challenges without force or fear. In environments that are person-centered and where staff are trained in de-escalation techniques, the need for restraint disappears. Restraints are not a solution—they are a failure of the system to provide proper care and support. We cannot stress this enough!

Allowing restraints also creates a culture of abuse rather than care. When restraint is permitted, it is often misused, leading to environments where mistreatment becomes routine. Schools, group homes, and institutions with high rates of restraint often have higher rates of other forms of abuse. Restraints should never be seen as an acceptable response to behavior; rather, their use should be a red flag that the system is failing. People with disabilities deserve to live free from harm, fear, and coercion. LD 769 is a



necessary step to protect the rights, dignity, and safety of Mainers with developmental disabilities.

I urge the Committee to support this bill and ensure that Maine moves away from outdated, harmful practices toward a system that prioritizes respect, autonomy, and true person-centered support.

Sincerely,

Simonne M. Maline

Executive Director
