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The unified voice for Maine's community behavioral health providers

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Testimony in Support of

***An Act to Establish a Comprehensive Program to Divert Youth from the
Criminal Justice System and Address Their Needs – LD 740***

March 24th, 2025

Good morning, Senator Beebe-Center, Representative Hasenfus, and honorable members of the Criminal Justice and Public Safety Committee. My name is Adam Bloom-Paicopolos. I am a resident of Wells and am proud to serve as the Executive Director of the Alliance for Addiction and Mental Health Services, Maine (the Alliance). The Alliance is the statewide association representing Maine's community-based behavioral health agencies who provide much-needed mental health and substance use services to over 80,000 children, adults, and families annually. The Alliance advocates for the implementation of sound policies and evidence-based practices that serve to enhance the quality and effectiveness of our behavioral health care system.

On behalf of the Alliance, I am here today to speak in support of LD 740, an Act to Establish a Comprehensive Program to Divert Youth from the Criminal Justice System and Address Their Needs.

Maine is at a critical juncture regarding how we serve youth with behavioral health needs. In September 2023, the Justice Department sued Maine for unnecessarily segregating children with behavioral health disabilities in hospitals, out-of-state facilities, and the Long Creek Youth Development Center. This lawsuit followed a thorough investigation and a public letter of findings notifying Maine of the violation.

In November 2024, the Justice Department secured a settlement agreement with Maine to resolve these violations of the Americans with Disabilities Act and the Supreme Court's decision in *Olmstead*. As Assistant Attorney General Kristen Clarke noted, "Too many children with behavioral health disabilities end up in juvenile justice settings or in out-of-home placements, often in different states far from their families, disrupting their lives in ways that can cause permanent harm."ⁱ The settlement requires Maine to make substantial improvements to ensure children with behavioral health disabilities can receive necessary services in their communities rather than being institutionalized.

LD 740 establishes a process that directly addresses issues highlighted in the Justice Department's settlement by creating a referral mechanism for juveniles who might otherwise enter the criminal justice system to instead receive a comprehensive needs assessment by qualified professionals, ensuring these assessments identify necessary supports and services to promote child and family well-being, requiring referrals to high-fidelity wraparound care coordination services for juveniles with

complex behavioral health needs, and establishing protections so statements made during assessments cannot be used against juveniles in adjudicatory hearings.

These provisions align with the settlement requirements that Maine must help hundreds of children remain in their communities with the services they need, help children move out of institutions, including the Long Creek juvenile detention facility, provide children with care coordination for intensive behavioral health disabilities, and provide prompt mobile crisis interventions to help children avoid lengthy and unnecessary emergency department stays or law enforcement contact.

Former U.S. Attorney Darcie N. McElwee emphasized that "Maine's geographical expanse is a treasure, but children with behavioral health disabilities cannot be needlessly limited to accessing necessary services and supports in facilities away from their families."ⁱⁱ Without community-based behavioral health services, children with disabilities will continue to enter emergency rooms, come into contact with law enforcement, and remain in institutions when they could remain with their families.

LD 740 represents not just good policy, but an important step towards compliance with federal law and the recent settlement agreement. By implementing this comprehensive program to divert youth from the criminal justice system, Maine can ensure that children receive the support they need while remaining connected to their families and communities.

Thank you for the opportunity to provide testimony this afternoon. I would be happy to answer any questions from the Committee.

Respectfully,



Adam Bloom-Paicopolos, MPP
Executive Director

ⁱ U.S. Department of Justice. *Justice Department Secures Agreement with Maine to Ensure Children with Behavioral Health Disabilities Can Live at Home*. November 2024. <https://www.justice.gov/archives/opa/pr/justice-department-secures-agreement-maine-ensure-children-behavioral-health-disabilities>

ⁱⁱ Federal News Wire. *Justice Department Settles ADA Lawsuit with Maine Over Children's Segregation*. November 2024. <https://thefederalnewswire.com/stories/666116674-justice-department-settles-ada-lawsuit-with-maine-over-children-s-segregation>