



Maine Chiefs of Police Association
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Statement in opposition to
L.D. 891, An Act to Exclude Poverty as a Factor When Determining Instances of Willful Neglect or Abuse of a Child

Joint Standing Committee on Health and Human Services

April 8, 2025

Senator Ingwersen, Representative Meyer, and honorable members of the Health and Human Services Committee. My name is Jason Moen. I am the Chief of the Auburn Police Department, and President of the Maine Chiefs of Police Association. I am submitting testimony on behalf of the Maine Chiefs of Police Association in opposition to LD 891.

The mission of the Maine Chiefs of Police Association is to secure a closer official and personal relationship among Maine Police Officials; to secure a unity of action in law enforcement matters; to enhance the standards of police personnel, police training and police professionalism generally; to devise ways and means for equality of law enforcement throughout the state of Maine; to advance the prevention and detection of crime; to prescribe to the Law Enforcement Code of Ethics; and to promote the profession of law enforcement as an integral and dedicated force in today's society sworn to the protection of life and property.

This bill amends certain definitions under the Child and Family Services and Child Protection Act and excludes poverty as a factor in the determination of willful neglect or abuse of a child. The bill also amends the laws governing preliminary protection order requests and reasonable efforts to prevent the removal of a child from a home to require the consideration of specific efforts made, the duration of those efforts and the outcome of those efforts.

Poverty is associated with lacking certain basic necessities in life, such as food, housing, financial security, and clothing, but it is actually defined by one's income and a specific dollar threshold. Here in Maine, a family of four lives in poverty if their income is below \$32,150 for the year. According to data from the US Census Bureau, approximately 10.5% of Mainers live in poverty.

As disheartening as it may be to see a family with limited financial resources struggle to provide for their loved ones, law enforcement all too often encounters situations where parents choose to use their limited funds for their own desires instead of feeding or providing a safe home environment for their children.

What is being proposed in this legislation is that a child cannot be removed from a parent's or caregiver's home, even if the parent or caregiver willfully deprived a child of basic necessities such as food and shelter or necessary medical attention if their actions placed a child in serious danger, if they are considered poor based on poverty guidelines. Abuse, neglect, and the overall safety of a child should never be conflated with poverty.

Although we recognize that economic instability may lead to an increased risk of neglect or abuse, it does not justify abusive actions or willful neglect of a child. These behaviors should not be considered excusable solely based on one's financial situation. Maine has many social services, mental health, and child protection resources available to help support families who may be facing situations that could place their children in harm's way.

Removing a child from a parent's or caregiver's home is a decision that is never taken lightly. However, if that child's well-being and safety are in serious jeopardy, we need to ensure that the family's financial status does not stand in the way of ensuring that a child is safe.

For these reasons, the Maine Chiefs of Police Association opposes the passage of LD 891. We respectfully ask members of the Committee to vote Ought Not to Pass.