



TESTIMONY OF ALICIA REA, ESQ.
LD 891– Ought to Pass

**An Act to Exclude Poverty as a Factor When Determining Instances
of Willful Neglect or Abuse of a Child**

Joint Standing Committee on Health & Human Services
April 8, 2025

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Senator Ingwersen, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, greetings. My name is Alicia Rea, and I am a policy fellow 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 through advocacy, education, and litigation. On behalf of our members, we urge you to support LD 891.

Each year, 18,000 Maine children are reported to DHHS Child Protective Services because of suspected child abuse or neglect.¹ These referrals start a process where families become entangled with the state, often for years, while continuing to struggle to make ends meet.

DHHS caseworkers, following a report of child abuse or neglect, have significant influence in determining whether maltreatment occurred. If a caseworker substantiates an allegation, parents or caregivers can be listed on Maine’s Child Abuse Registry, where they often remain for years, affecting job opportunities and perpetuating the cycle of poverty.²

Of course, there are devastating cases where children face serious abuse and intervention is needed. The problem, however, is that the system we have now is not designed to effectively keep children safe. Instead, the system puts parents, especially single mothers, in the impossible situation of having to overcome poverty in order to stop being monitored and to reunite with their children, without providing them with the resources necessary to do so. The state has even gone as far as to wrongly terminate a mother’s parental rights when the Department of Health and Human Services itself failed to meet its legal obligations to provide necessary medical care for the child.³

The entire child welfare system needs an overhaul. Lawmakers should address the extreme economic hardship at the heart of many child welfare

¹ Maine Department of Health and Human Services, *Guide to Child Welfare*, available at <https://www.maine.gov/dhhs/ocfs/support-for-families/child-welfare/guide-to-child-welfare>.

² Maine Department of Health and Human Services, *OCFS Background Check Unit*, available at <https://www.maine.gov/dhhs/ocfs/provider-resources/ocfs-background-check-unit>.

³ See *In re Child of Barni A.*, 2024 ME 16, ¶ 47.



cases. LD 891 takes an initial step to move DHHS away from using poverty as a factor in making determinations of willful neglect or abuse. This committee should continue to invest in community resources and support that addresses families' needs instead of punishing and surveilling them.

For these reasons, we urge you to vote that LD 891 ought to pass.