



**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. I am writing today on behalf of the CCSM to testify in strong support of **LD 1416: “An Act to Require the Department of Health and Human Services to Immediately Take Custody of Persons Sentenced to Mental Health Facilities That May Not Include County or Regional Jails.”**

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.

This bill aligns with our peer community and Maine’s shared values of compassion, public safety, and evidence-based mental health care. Because LD 1416 mandates that individuals sentenced to mental health facilities be transferred immediately to institutions equipped to provide care and treatment it eliminates delays that can exacerbate mental health conditions, ensuring timely access to therapeutic interventions.

The bill explicitly prohibits placement in jails, which are ill-equipped to address the complex needs of individuals with mental illness, intellectual disabilities, or autism. We know most jails lack adequate mental health services, leading to worsening outcomes and increased risks for both residents and staff. County and regional jails are woefully unequipped to provide appropriate care for Mainers who are experiencing mental health distress or intellectual disabilities. Yet today, individuals deemed incompetent to stand trial or in need of psychiatric observation too often languish in correctional facilities—environments that exacerbate the situation, delay recovery, and violate their right to treatment and due process.

By prioritizing placement in appropriate settings, especially those that also offer peer support, LD 1416 aligns Maine’s policies with evidence-based practices that emphasize treatment over incarceration for individuals with mental health challenges. This approach reduces recidivism and promotes recovery, benefiting both the affected individuals and communities.

The requirement for placement within 30 days ensures accountability and prevents prolonged periods of uncertainty or inappropriate confinement. This provision safeguards the rights of defendants while maintaining public safety.

In conclusion, LD 1416 is a compassionate and pragmatic solution that addresses longstanding challenges in the intersection of mental health care and the justice system. I urge this committee to support its passage and help Maine lead the way in providing dignified care for vulnerable populations.

Thank you for your time and consideration.



# Simonne Maline

Executive Director

<https://www.bangordailynews.com/2021/11/15/bangor/a-new-bangor-effort-is-trying-to-get-defendants-out-of-jail-and-in-mental-health-treatment-joam40zk0w/>

<https://www.centralmaine.com/2015/01/18/kennebec-county-jail-overcrowding-symptom-of-bigger-state-problem/>

<https://www.bangordailynews.com/2021/09/10/bangor/bangor-jail-is-functioning-without-25-percent-of-its-staff-as-overcrowding-persists/>

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