



TESTIMONY OF MICHAEL KEBEDE, ESQ.
LD 648 – Ought to Pass

**An Act to Expand the Supervised Community
Confinement Program**

Joint Standing Committee on
Criminal Justice and Public Safety

April 23, 2025

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Senator Beebe-Center, Representative Hasenfus, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, greetings. My name is Michael Kebede, and I am policy director for the ACLU of Maine, a statewide organization committed to advancing and preserving civil rights and civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, we urge you to support LD 648.

Current law allows the Department of Corrections to refer prisoners to the supervised community corrections program (SCCP) if they have served at least half of their unsuspended sentence.¹

Decades of research and U.S. Supreme Court precedent support the idea that young people accused of crimes are fundamentally different from adults due to their brain development.² The sponsor's amendment to LD 648 would allow for transfer to SCCP for people who were younger than 26 when they committed the conduct underlying their criminal charges and have completed at least 15 years of their sentence. This bill would provide an immediate benefit to people who have been in prison, serving lengthy sentences, for conduct they committed when their minds were still developing.

LD 648's changes are rooted in research about adolescent development and recidivism. Recent advances in neuroscience and psychology have shown that youth are different from adults in important ways, including decision-making, impulsivity, and response to peer pressure. This same research reveals that youth possess a unique ability for reform and rehabilitation. The legislature has recognized this in its criminal code and established fundamentally different approaches to youth and adults.³

We urge you to vote ought to pass.

¹ 34 M.R.S. §3036-A(2).

² See *Roper v. Simmons*, 543 U.S. 551, 569 (2005) (holding that executing juveniles for crimes committed under the age of 18 is unconstitutional); *Graham v. Florida*, 560 U.S. 48 (2010) (holding that sentencing a juvenile to life without parole is unconstitutional); *J.D.B. v. North Carolina*, 564 U.S. 261 (2011) (holding that a child's age must be considered in a custodial analysis for *Miranda* warnings). These examples discuss adolescent brain development as a key reason for holding these sentences as unconstitutional and requiring a different analysis.

³ For example, Maine law allows for the sealing of more youth criminal records than adult records. Compare 15 M.R.S. §3010 *et seq.* with 15 M.R.S. §§221-2269.