

**DISABILITY
RIGHTS
MAINE** 

April 14, 2025

Senator Henry Ingwersen, Chair
Representative Michele Meyer, Chair
Committee on Health and Human Services
Cross Office Building, Room 209
Augusta, Maine 04330

Re: 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

Dear Senator Ingwersen, Representative Meyer, and Members of the Committee on Health and Human Services:

My name is Kevin Voyvodich and I am an attorney at Disability Rights Maine (DRM),

Maine's designated protection and advocacy agency for individuals with disabilities.

I am here today to testify in support of LD 1416. This bill recognizes the importance of quickly moving those who may be found incompetent to stand trial (IST) to the appropriate setting for evaluation and restoration services.

Once there is an IST order or an order for an evaluation for IST, the purpose of the pretrial detention shifts to that evaluation and then restoration treatment for those found IST. Pre-trial detainees who are undergoing this legal process should be moved as quickly as possible to the appropriate setting.¹

¹ For example, one federal court case in Washington state, Trueblood v. Washington State Department of Human Services, found that the state of Washington was violating the constitutional due process rights of individuals waiting in jail for evaluation and restoration IST services. See Trueblood v. Washington State Department of Social and Health, United States District Court, W.D. Washington, at Seattle, August 15, 2016 Not Reported in Fed. Supp.2016 WL 4268933.

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MAINE'S PROTECTION AND ADVOCACY AGENCY FOR PEOPLE WITH DISABILITIES

For the foregoing reasons DRM urges support for LD 1416. Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "Kevin D. Voyvodich". The signature is fluid and cursive, with a prominent initial "K" and "V".

Sincerely,

Kevin D. Voyvodich, Esq.

Managing Attorney