

Maine PRISONER ADVOCACY Coalition



April 17, 2025

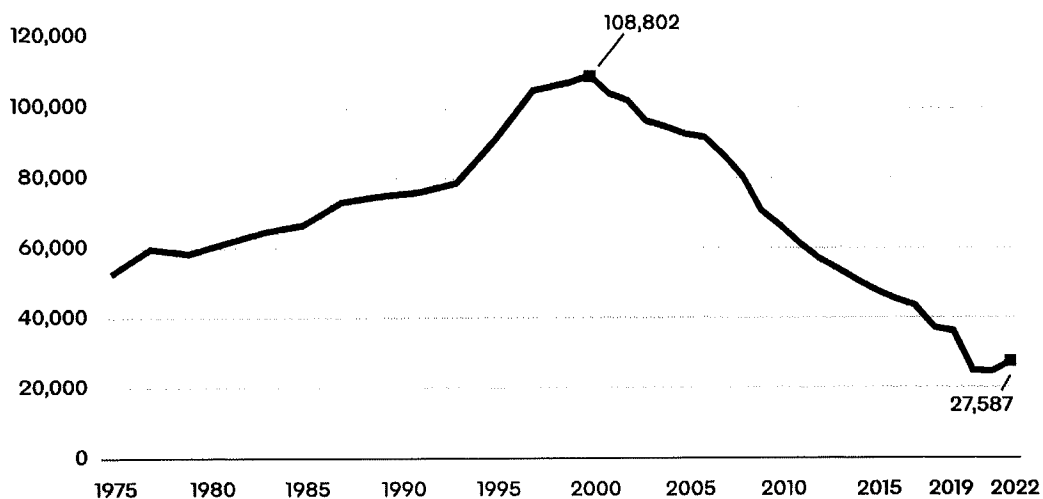
Senator Beebe-Center, Representative Hasenfus and distinguished members of the Criminal Justice and Public Safety Committee:

My name is Jan Collins, I am Assistant Director of Maine Prisoner Advocacy Coalition (MPAC) an organization committed to ethical, positive, and humane changes in Maine's prison system. I am here in Neither for nor against LD 740 An Act to Establish a Comprehensive Program to Divert Youth from the Criminal Legal System.

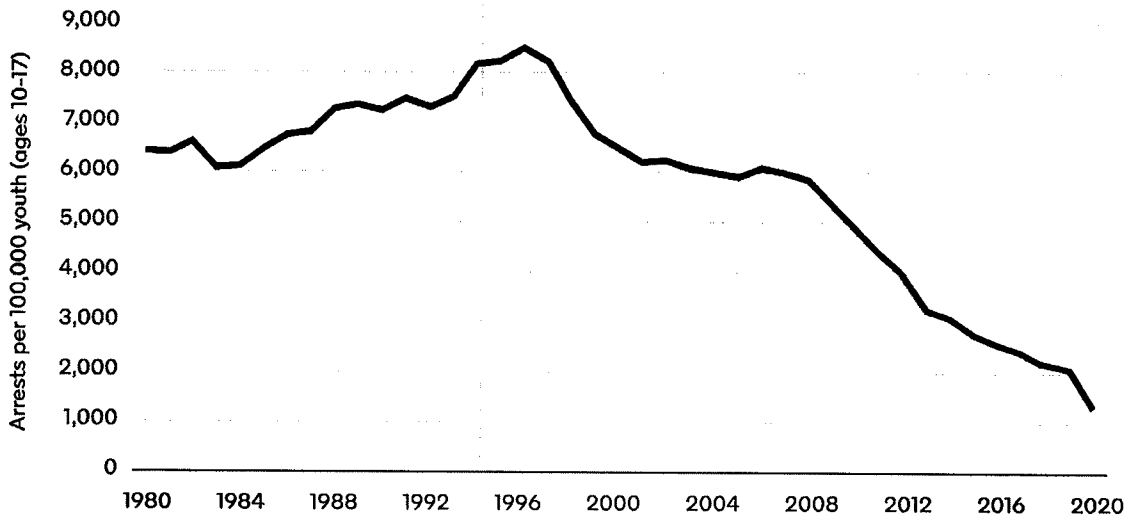
Much of what I will present to you today is a distilled from an article by James Forman Jr. a professor of law at Yale University and a former public defender, called *What Happened When America Emptied Its Youth Prisons*.¹

The article can be summarized in these two graphs.

One-Day Count of Youth Held in Juvenile Justice Facilities, 1975-2022



Youth Arrest Rates, 1980-2020



The Sentencing Project

From 2000 to 2020, states around the country closed youth prisons and reduced numbers in any remaining prisons, Maine was among them, and crime, as judged by arrest rates, did not go up... they did not even stay the same, they plummeted. Several factors contributed to this including a report by the Anna E. Casey Foundation entitled "No Place for Kids." The report revealed that violence and abuse had been documented in the juvenile facilities of 39 states. The report also noted that many of these facilities were dangerous, obsolete and ineffective.³

In a Chicago study by researchers Aizer and Doyle², juveniles appearing in court were assigned to judges randomly. Those that came before tough judges were given prison sentences, those who went before more lenient judges were less likely to receive prison sentences for identical crimes. Kids who were given prison sentences, even short ones of a couple weeks, were more likely to drop out of high school and more likely to end up in adult prison. Even a light touch by the justice system has lasting negative effects for the child and for the community.

For the child, the experience is profoundly dislocating: It was difficult to go back home and try to integrate with their friends or return to their school community. It hurt their ability to make friendships and connect with people.

Because of the negative impacts on children and on community safety, it is extremely important to avoid incarcerating children whenever possible. The assessment process

suggested by this bill, administered by trained care coordinators who also have the authority to put in place the appropriate services to meet the child's needs, should happen upon first contact with police. After, kids have been incarcerated, damage has already been done.

We recommend LD 740 be amended to focus on working directly with youth and police/sheriff's departments before the child is charged with a crime. Early diversion is the most impactful.

With appreciation,
Jan

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¹Forman, James Jr. *What Happened When America Emptied Its Youth Prisons*. The New York Times Magazine, January 28, 2025. <https://www.nytimes.com/2025/01/28/magazine/juvenile-prison-crime-rates.html>

² Ibid, Forman.

³ Annie E. Casey Foundation. *No Place for Kids*. 2011 <https://assets.aecf.org/m/resourcedoc/aecf-NoPlaceForKidsFullReport-2011.pdf>