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April 17, 2025

Testimony of Representative Grayson Lookner presenting

**LD 740, An Act to Establish a Comprehensive Program to Divert Youth from
the Criminal Justice System and Address Their Needs**

Before the Joint Standing Committee on Criminal Justice and Public Safety

Good afternoon, Senator Beebe-Center, Representative Hasenfus and esteemed members of the Joint Standing on the Committee on Judiciary. My name is Grayson Lookner, and I represent House District 113, which includes several neighborhoods in Portland. I'm here today to present **LD 740, An Act to Establish a Comprehensive Program to Divert Youth from the Criminal Justice System and Address Their Needs**.

This bill offers Maine a transformative opportunity to reimagine how we respond to youth in crisis. This legislation is not just about policy—it's about who we are as a state and what we believe our children deserve.

At its core, LD 740 establishes a clear, structured process to help youth avoid unnecessary interaction with the juvenile criminal system. When a law enforcement officer has probable cause to believe a young person has committed an offense—or when a juvenile community corrections officer receives a referral—this bill allows them to connect that youth with a strength-based needs assessment through the Department of Health and Human Services. This assessment, conducted by trained professionals within 60 days, identifies the supports and services a young person and their family need to thrive—whether that's medical care, counseling, educational support, or simply a membership to the local Y. If a child has complex behavioral health needs, the bill ensures they are referred to high-fidelity wraparound services, giving them the best chance at stability and success.

Crucially, this process is voluntary—families must consent—and it protects youth by ensuring their statements during assessments cannot be used against them in court. It also avoids duplication of effort: If a needs assessment was completed in the last six months, that report is shared instead of starting over. And to make sure this system works

smoothly, the bill creates an implementation stakeholder group to guide training and rollout statewide.

Some might argue that this is already happening informally in parts of Maine—and they'd be right. In communities where officers know local youth well, they may already steer kids toward help instead of handcuffs. But that approach relies on luck—on whether a child happens to live in a place with strong relationships between law enforcement, schools, and service providers. LD 740 makes this good practice standard across Maine, ensuring every young person, no matter where they live, has access to the same compassionate, evidence-based response.

For too long, Maine has defaulted to a system that criminalizes young people instead of helping them. We have seen the consequences of this approach: children with unmet needs are funneled into institutions where their struggles only deepen. In 2022, the U.S. Department of Justice confirmed what many of us already knew—Maine was violating federal law by failing to provide adequate behavioral health services to youth, forcing hundreds into segregated settings like Long Creek. The DOJ's findings were a damning indictment of our system, but they also presented us with a choice: Will we keep repeating the same mistakes, or will we finally change course? While we have settled with the DOJ, there are still gaping holes in services for youth in crisis, leading to far too many young people ending up in Long Creek.

The state has made some modest recent improvements, yet none of those improvements provide a true off-ramp from system involvement. Once a young person enters a courtroom and stands before a judge, the damage is done. Research shows that even brief encounters with the criminal legal system can shape a youth's self-perception in profoundly harmful ways. They internalize the label of "delinquent," and that stigma follows them—not just through adolescence, but well into adulthood, increasing their likelihood of recidivism. DOC's programs, however well-intentioned, are still reactive. They intervene after system contact, often after adjudication. What Maine needs is a mechanism to prevent that initial entry into the system altogether. Diversion isn't just about reducing caseloads; it's about altering trajectories, and providing paths to brighter futures. When we redirect youth toward support instead of courtrooms, we're not just avoiding harm—we're opening doors to education, employment, and stability. That's the promise of this bill: not merely to manage system-involved youth better, but to ensure fewer Maine children become system-involved at all.

DOC also conducts assessments about risk and clinical need, and has started to work more intentionally to consider what needs a youth will have after they are released from Long Creek. These assessments all take place after adjudication and sentencing. The state ought to work to meet these needs before a youth must be assessed by the DOC.

The science is clear – incarceration does not help young people heal – it often makes things worse. Studies show that many youth develop severe depression only after entering detention, and behavioral health challenges escalate in these environments rather than improve. We know that adolescent brains are still developing, shaped by trauma,

support, and opportunity. When we respond to mistakes with punishment instead of care, we reinforce cycles of harm rather than break them.

LD 740 offers a better way forward. It builds on what works—like New Hampshire’s successful model, where 74% of families accepted referrals and law enforcement agreed with assessment recommendations 94% of the time. Most importantly, it recognizes that public safety isn’t about locking kids up—it’s about giving them the tools to succeed.

Some will argue that our behavioral health system is too broken to implement this change. But that argument misses the point entirely. Yes, our system is flawed—which is why we need this bill. We cannot keep sending children into a criminal legal system that we know harms them simply because we haven’t yet built the alternatives they deserve. Passing LD 740 would be a critical step toward building those alternatives, ensuring that youth get the help they need in their communities rather than behind locked doors.

I speak today not just as an advocate, but as someone who has seen the cost of these failures firsthand. I’ve worked with young people experiencing homelessness and substance use disorder who needed help but too often found punishment. I’ve seen families desperate for help but met with systemic indifference. Change is hard, but we can’t let that stop us.

This is our chance to do better. Maine’s youth deserve better than punishment for unmet needs. This is our chance to show that we believe in redemption, in healing, in second chances for youth who make mistakes, and that we refuse to accept a system that funnels children into cages when what they really need is care.

The country is watching. National outlets have documented Maine’s struggles with juvenile justice. Now, let them document our courage—our willingness to choose compassion over complacency. I urge you to stand with Maine’s youth. Vote “Ought to Pass” on LD 740.