

LD 1000 An Act to Require Correctional Facilities and Substance Use Disorder Treatment Facilities to Release Prisoners and Patients to a Responsible Adult

Presented to the Committee on Criminal Justice and Public Safety

April 28, 2025

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Criminal Justice and Public Safety Committee, I am Marygrace Cimino and I represent House District 83, which includes the towns of Bridgeton, Denmark and Harrison. I am here today to present my bill LD 1000, An Act to Require Correctional Facilities and Substance Use Disorder Treatment Facilities to Release Prisoners and Patients to a responsible Adult.

In early January 2025, I received a letter from a constituent in Harrison. I would like to read part of this letter to you as it was the sentiment expressed in this letter that resulted in LD 1000.

"...On the morning of December 19, 2024, a man's body was found behind the Hannaford store in Sanford. That person was my younger brother, Jeffrey Gahm. He was 69 years old and left a wife, three adult sons, an infant granddaughter; a younger brother (Allan) and me. Jeff was an alcoholic. He had been released from York County Jail the night before... Jeff had struggled with sobriety in the past, but his struggles ramped up in the last year or two. In the Spring of 2024, Jeff was admitted to St. Francis Recovery Center in Auburn. He successfully completed their six-week program. Within hours of his release, though, he relapsed and began drinking again.

He was hospitalized at the Biddeford Hospital in the summer after being very ill--- most probably because of his continued drinking. He was discharged to the River Ridge Center in Kennebunk for a couple of weeks before returning home. His drinking continued. He was sober, though, when he attended the wedding ceremony for his youngest son on September 1st. I doubt his sobriety lasted through that day. He was accepted to the St. Francis Recovery Center a second time and arrived there Monday, November 18th. His recovery process led to his earning the right to walk to the nearby store in the evening of Wednesday, November 27th and he bought and consumed alcohol. St. Francis has a zero- tolerance policy, so Jeff had to leave the facility that evening. The weather forecast for that night was temperatures below freezing. He, with his suitcase, was able to hitchhike to the Circle K store near the Auburn entrance for the Turnpike. He stayed there at the store until it began to get light outside. He apparently got a ride to the Days Inn near the Maine Mall...He was arrested twice after that. I believe the first time was

for driving while intoxicated. He was released with conditions. The second was for violating the conditions of his prior release. His second arrest was about December 12 or 13. My brother Allan and I both called the York County Jail to get details of his incarceration. We were told that unless he was bailed out, he would remain in jail until mid-January or when he had the money for bail. Allan was told that Jeff was in protective custody because he was going through detox. He was safe. He was warm. He was sober. We were glad. And we asked family members not to provide bail money.

My sister-in-law, Jeff's wife called me at about 8 p.m. on December 18th to say that she thought Jeff had been released from jail. I called the jail and found out that Jeff had been released for "time served" at about 4:30 that afternoon. He apparently wasn't required to have a ride when he was discharged...The weather that night was rain/freezing rain. I asked the person at the York County Sheriff's Office to ask the Sheriff's deputies to keep an eye out for Jeff because he hadn't returned home. I also called the Cumberland County Sheriff and asked them to keep an eye out for him. I left my door unlocked and the outside light on in case he headed to my home. I called my sister-in-law and left a message for her to leave the outside light on...He was found dead the following morning.

Jeff bears full responsibility for his drinking. I realize Jeff was an adult and couldn't be forced to have treatment for his alcoholism. With substance abuse there is a delicate balance between rights as an adult and responsibility for human safety...The outcome for my brother might have been different if it had been a requirement that he be released to an adult, not just sent out the door alone." Until I read Deborah's letter, I hadn't really considered what happened to an individual after being released. I had a vision of how it is in the movies...the released person is reunited with family, friends or a significant other. Together, they drive off into the sunset. Obviously, this is not always the case. What happens to a person like Jeff, when family is unaware of the release and the person being released has no one there to take him to a safe place? I would argue that not only is the person being released at risk, but so isn't the community at large. In Jeff's case, he was arrested for driving while intoxicated and within the week was released for "time served." He was not released to a family member that loved him and would keep him safe. Rather, he was released into the cold December night all alone and much earlier than had been told to the family.

People suffering from mental health disorders and addiction are the most vulnerable members of our population and a failure to recognize this or an indifference to act, puts us all at risk. Studies show that over 60% of those released from prison are rearrested within 3 years and 82% within 10 years. (Prison Policy Initiative-U.S. Dept. of Justice Data). Those being released from substance abuse treatment facilities have a similar rate of recidivism. The main factors contributing to high recidivism rates include reintegration challenges and a lack of adequate support systems. I would suggest that someone being released into the hands of a responsible adult would be a step in the right direction of providing a viable support system.

Please join me in supporting LD 1000. This bill would require the Department of Health and Human Services to adopt rules ensuring that a patient being discharged from a substance abuse treatment facility is released to a responsible adult as determined by that facility. Likewise, when a prisoner is released, that prisoner would be released to the care of a responsible adult as determined by the Commissioner. Maine law generally considers an individual 18 years or older, capable of making responsible and legal decisions an adult.

Making this bill a law would be a first step in helping the individuals being released into society and helping protect the community at large.

Thank you for your consideration. I'd be happy to answer any questions you may have and will be available for the work session.