

**POSITION STATEMENT IN SUPPORT****LD 1893 An Act to Establish an Independent Office of the Child Advocate**

As the state's largest grassroots mental health advocacy organization, NAMI Maine supports the passage of *LD 1893 An Act to Establish an Independent Office of the Child Advocate*. Maine has entered into a settlement agreement with the Department of Justice regarding the over-institutionalization of our young people, particularly those with complex behavioral health needs. The Department of Justice identified that many young people are left to languish within emergency departments while awaiting out-of-home or residential placement, resulting in some being placed within the criminal justice system. There is a critical intersection of young people who are involved in the child protective system, having complex behavioral health presentations, and the juvenile justice system.

National studies have found that 47.9% of children aged 2-14 years old have significant clinical behavioral health concerns<sup>1</sup> and although less than 1% of youth in the State of Maine are in Child Protective Custody, they constitute 22% of the youth in residential treatment in 2018<sup>2</sup>. The intersection of youth mental health and the child welfare system is well documented nationally and in our state. In 2019, it was found that 65% of the youth at Long Creek were involved in at least one Child Protective investigation.<sup>3</sup> Additionally, the Children's Law and Policy found in 2018-2019 that nearly 70% of the youth committed or sentenced to Long Creek received behavioral health services through MaineCare in the year before the placement, while Long Creek staff reported that 84.6% of the young people at Long Creek arrived with three or more diagnoses.<sup>4</sup> These young people are some of the most vulnerable in our state, often left with minimal advocacy. As a state we need to ensure that they are protected and provided critical resources in order to ensure that they have the best possible chance of a successful future. States with Child Advocate office report more positive outcomes for young people.<sup>5</sup>

As the state works to move forward to support young people on their journeys to wellness, their voices are often lost and have minimal individuals who are advocating for them as individuals. Those involved in our complex systems deserve individuals advocating for their individual and systemic needs, whose only focus is ensuring that they are receiving the best possible care and working to provide resources diverting them from becoming entrenched in the systems for extended periods of time. Because of this, NAMI Maine supports the passage of LD 1893.

**ABOUT NAMI MAINE:** *Incorporated in 1984, the National Alliance on Mental Illness, Maine Chapter (NAMI Maine) is the state's largest grassroots mental health organization. With support from national and regional affiliates, the agency is dedicated to building better lives for everyone impacted by behavioral health concerns. NAMI Maine engages with leaders and community partners at all levels to improve the state's mental health system through collaboration and education.*

<sup>1</sup> Burns, B., Phillips, S., Wagner, R., Barth, R., Kolko, D., Campbell, Y. Landsverk, J. Mental Health Need and Access to Mental Health Services by Youths Involved with Child Welfare: A National Survey. *Journal of the American Academy of Child & Adolescent Psychiatry*. August 2004.

<sup>2</sup> United States Investigation of Maine's Behavioral Health System for Children under Title III of the Americans with Disabilities Act (justicegovl)

<sup>3</sup> JUVENILE JUSTICE SYSTEM ASSESSMENT 2020, supra n.34, at 47.

<sup>4</sup> United States investigation of Maine's Behavioral Health System for Children under Title III of the Americans with Disabilities Act (justicegovl)

<sup>5</sup> <https://legislature.idaho.gov/wp-content/uploads/OPE/Reports/r2400.pdf>

**LEGISLATIVE CONTACT**

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