

## **Testimony on LD 546: An Act To Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force**

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Good Morning Senator Deschambault, Representative Warren, and honorable members of the Criminal Justice and Public Safety Committee,

My name is Kels Park and I am the Policy and Systems Advocacy Coordinator at the Restorative Justice Institute of Maine. I am speaking to you today from Auburn and am taking the position of neither for nor against LD 546. I want to begin by thanking you for taking the time to carefully consider the well-being of Maine's youth who have been or are at risk of being involved in Maine's criminal justice system.

I am speaking to you today as someone who has spent 6 years doing Restorative Justice work throughout the state. I am also speaking to you as someone whose family has been deeply impacted by the criminal justice system in the form of incarceration and a lack of subsequent mental health, substance use, and social supports. Through both my work and personal life, I've seen the devastation and long-term consequences that comes on the heels of being involved in the criminal justice system. Despite the attempts at reforms and remedies, a truth that is challenging for some: it remains a system that perpetuates harm.

During my time doing Restorative Justice work, I've seen young people take accountability for harm they caused and complete plans to repair the harm and prevent similar incidents from happening again in the future. I've supported young people in getting connected to additional resources based on their interests and unmet needs. The Restorative Justice approach provides an opportunity for individuals involved to exercise their voices and have agency in the healing and accountability process. This narrative of restorative justice is important because it clearly demonstrates that there are other approaches to addressing harm than simply going through the traditional court system. This is an example of one of many community investments, along with housing, mental health support, and attaining jobs, that Maine has an opportunity to invest in.

All of that being said, the image I just depicted is the rose colored glasses version of Restorative Justice. Restorative Justice void of a lens that recognizes power imbalances, inequity, and systemic oppression runs the risk of recreating some of the very issues we are sitting here today to try to address. This has happened in New Zealand where they systemically implemented Family Group Conferencing, a model very similar to Restorative Justice, in order to reduce systems involvement overall and reduce the disproportionate contact of Moari youth who are indigenous to New Zealand. But because the Moari people had minimal input in the design, implementation, and evaluation of the process, the overall number of systems involved youth decreased, but the disproportionality of Moari youth increased. I raise this example because we run the risk of replicating and even exacerbating certain systemic harms if we do not seriously

consider how power is distributed in determining funding allocations and program design, implementation, and evaluation.

LD 546 calls for reinvestment in communities, but not without the stipulation that \$2 million in additional funds be appropriated to the MDOC to then reinvest in community based programming. The major issue with this is that it bolsters the economic and decision making power of the very department that the bill raises concerns about. We need a vehicle to instead move this power directly into the hands of community members and practitioners whose experiences provide them with the expertise and innovation to come up with solutions to the complex problems we are collectively attempting to address. I recommend that the committee consider Colorado's WAGEES (<https://wageesco.org/about/>) program as an example of what's possible. This program uses a grantmaking intermediary that holds the responsibility of determining fund distribution, community partners, and evaluation. You can find a link to the program listed in my written testimony.

Most importantly, I urge you to really listen to the voices of the young people who are speaking today and have been speaking out through the entire Task Force initiative. This includes a definitive plan to close Long Creek and prevent the facility from being used as another detention center for youth or adults in the future. As it stands, LD 546 does not provide a clear enough vision and plan to do so. Young people who have experienced the impacts of the criminal justice system are calling for more, and it is imperative that we pay attention.

Thank you for your time and I'm happy to answer any questions from the committee.