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**TESTIMONY OF**  
**COLIN O'NEILL, ASSOCIATE COMMISSIONER**  
**DEPARTMENT OF CORRECTIONS**

**In Opposition of**

LD 963 An Act To Create Culturally Sensitive Treatment and Recovery Halfway Houses for Immigrants  
Transitioning out of the Juvenile

**Before the**  
**Joint Standing Committee on Criminal Justice and Public Safety**

**April 7, 2021**

Senator Deschambault and Representative Warren and other distinguished members of the Criminal Justice and Public Safety Committee, I am Colin O'Neill, Associate Commissioner of Juvenile Services for the Maine Department of Corrections providing testimony in opposition to LD 963.

The MDOC understands and appreciates the desire for this bill and agrees wholeheartedly in the positive power of recovery-based housing. However, we oppose this bill for a number of reasons. First, if passed this bill would require the Department of Corrections to establish at least two halfway houses (one for males, one for females) exclusively for immigrant youth (or youth whose families have immigrated to Maine) transitioning out of the juvenile justice system. Currently there are four immigrant youth at Long Creek Youth Development Center (LCYDC), two of whom are children of immigrants and two of whom were born outside of the U.S. This is not enough to justify setting up two community-based residences for this specific demographic. The majority of juveniles transitioning out of LCYDC do not require residential transitional level of care before returning to their families. Many juveniles are ready to be back home, and the MDOC supports juveniles going to the least restrictive housing option.

That said, it's important to note, as this committee is aware, the MDOC's division of juvenile services is committed to developing community residences for youth who are currently under DOC's custody and who require this level of transitional care. Which brings me to the second reason for opposition.

The MDOC has already committed to operating two community residences, one for females and one for males, in South Portland and opening soon in Auburn, respectively. We don't exclude based on other demographics, as this bill would require, so as not to be in violation of the equal protection clause. These two MDOC run community residences will enable youth to live in a staff supervised community residence, receive education, job training and job placement, and treatment services, all of which the bill seeks, while finishing their supervision with the DOC.

Further, the juvenile services action plan that was announced in February details the strategies of the department to lessen the reliance on institutional secure confinement for youth in our purview, including racial and ethnic

disparities training for staff, use of youth advocates and creditable messengers to connect with immigrant youth and their families.

In closing, the MDOC applauds all those working across Maine to ensure immigrant youth and other youth have safe and secure housing that addresses all the individual's specific needs. We look forward to continuing our work with leaders in the immigrant community, youth advocates, and others invested in ensuring that all justice involved youth experience a fair, equitable, and responsive juvenile justice system that provides them with positive outcomes.

This concludes my testimony.

Thank You,

Colin O'Neill  
Associate Commissioner Juvenile Services