

Jim Hall
Portland ME

RE:
Against LD1478

TO:
Senator Deschambault,
Representative Warren,
Members of the Committee On Criminal Justice and Public Safety

FROM:
Jim Hall, long-time resident of Bayside neighborhood in Portland

Based on over 25 years direct experience living one block downhill of the Service Hub where Portland has assumed responsibility for the region's emergency response to homelessness, I am strongly opposed to LD1478 and its core assumptions.

I would first like to remind the sponsors of this bill that Portland consistently cares for the people who lose their homes in your back yards. For instance in the last few months this includes at least 30 individuals from South Portland. To be blunt: You have never had to learn about what these crimes actually look and feel like for anyone involved, because Portland handles your emergencies for you. This is equally true of Portland's Stroudwater neighborhood for instance, since over 30 of the region's service providers are super-concentrated into the Bayside neighborhood. I ask you to withdraw this bill and focus your energies on things like a state level diversion program, behavioral health support system, transitional housing, etc, which could actually create a change for the better rather than enabling the status quo (which has been colorfully termed "a neighborhood under siege" by the press herald).

My neighborhood hosts over 500 emergency beds, and 20% of the city's calls for emergency service in 1% of the city's landmass. The leadership of the non-profit Preble Street recently testified to the Portland Planning Board that many of the emergency calls in this neighborhood originate from providers protecting their clients. Statistics for criminal trespass from an emergency shelter show that fully half involve some form of fighting or assault. Social workers focusing on harm reduction never like to invoke enforcement — but they are appropriately trained to do so when other means fail to maintain safety. This bill would remove a tool in protecting homeless individuals while in congregate emergency settings.

The other type of emergency calls come from citizens like me trying to protect either themselves or others, and often actually stem from attempts to get someone help who appears to be in danger of harming themselves, and usually presenting first in some of the erratic behaviors described by this bill. I urge the committee to fully educate itself on the sources and outcomes of emergency calls in Bayside before making any determination on this bill. Bayside is where such behaviors and the resultant emergencies cluster, and this is the only place you can actually determine whether blocking response options would create a better or worse lives for anyone affected. Moving on this bill based on emotion without data would be irresponsible.

About 50% of Maine's homeless population finds the help they deserve in Portland — and Portland has already spearheaded an exemplary approach to compassionate first-response. This includes de-escalation training, civilian community policing coordinators, a quasi-governmental coalition of service providers, and dedicated positions for alternative response coordinator, mental health liaison, and substance use liaison (not to mention a resettlement coordinator for international asylum seekers). The portion of this bill that mandates this type of program is a meaningless layer of bureaucracy providing nothing new for fully half of the cases in the state.

For the other half it's actually worse, mandating as it does that every single Maine village and burg that's currently struggling to keep budgets afloat must each create an entirely new response department — but without providing any funds or other support to do so. Don't believe for one second that this bill has any chance of cultivating 761 small-town programs that are anywhere near as robust effective & coordinated as

Portland has exemplified. The only stated requirement is to provide “information and referrals”, which anyone working with needy populations knows are often ignored or refused. This bill would create a burden on every municipality without providing real solutions.

I have experienced every one of the crimes this bill seeks to enable, many times in many ways (have you?). What I have witnessed from first-responders is thoughtful in-the-moment decisions based on unique circumstances and prior cultivated relationships. Some cases call for an informal chat, some for a referral to another agency, etc — and yes, some do call for an arrest. When things escalate, this bill would block an entire class of options. Unfortunately what I’ve witnessed when disruptive behaviors are not quelled in a “milder” stage is that people basically end up getting arrested a short time later for much worse crimes, which carry more severe penalties. This bill would create worse outcomes for many it seeks to pardon.

I’ll close with a couple of anecdotes — admittedly second-hand:

(1) A couple who was arrested for engaging in sexual intercourse on my car (“indecent behavior” in the parlance of this bill) later thanked city shelter staff for ejecting them for violating good neighbor policy. Being held accountable for their actions was the only wakeup call that led them to stable housing, and setting their lives back on track. Sometimes being held to reasonable standards is literally the only thing that helps people help themselves, and that path would not be possible under this bill.

(2) As is often the case around here, a drug dealer has been idling his car in the area near the shelter and being aggressive toward residents and passersby. He became hostile with a community policing officer and yelled that there is “legislation” coming to prevent any more “harassment”, also loudly demanding to know whether a specific resident had complained. This bill apparently only requires an individual to verbally state to first-responders that they don’t have access to a home to escape any consequences for their actions — and the predators who endanger and entrap the vulnerable people we force to self-segregate in Bayside are already poised to whip out that card.

LD1478 is a very deeply flawed proposal. It would take such a complete overhaul to transform it into something is even pointing in the direction of solutions, it would be easier to start from more sound first principles than attempt to amend. I urge the committee to table LD1478 indefinitely.