

TESTIMONY OF MICHAEL KEBEDE, Esq.

LD 1478– Ought To Pass

An Act To Decriminalize Homelessness

JOINT STANDING COMMITTEE ON
CRIMINAL JUSTICE AND PUBLIC SAFETY

May 14, 2021

Senator Deschambault, Representative Warren, and members of the Joint Standing Committee on Criminal Justice and Public Safety, good afternoon. My name is Michael Kebede, and I am policy counsel for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions through advocacy, education, and litigation. On behalf of our members, we urge you to vote that LD 1478 *ought to pass*.

If enacted, this bill would require the Attorney General to adopt a Homelessness Crisis Protocol by the beginning of next year, and all law enforcement agencies across Maine to adopt the same Protocol. The Protocol must require a mental health professional to be present when police encounter unhoused people in a crisis. The bill requires the mental health professional to be able to inform the unhoused person about, and connect them with case management, transitional housing, and other crisis services. This bill is a wholly appropriate response to our intertwined crises in healthcare, policing, housing, and racial inequity. Indeed, similar programs in other states have proved to be both fiscally and socially responsible.¹

Much of this committee's recent work has been profoundly influenced by the past year's increased attention on police killings of civilians. It has come to light that a large share of the civilians who die or are injured at the hands of police had a mental illness or were experiencing a mental health crisis. Here in Maine, according to data provided to the Press

¹ See, e.g., David Sachs, *In the first six months of health care professionals replacing police officers, no one they encountered was arrested*, *Denverite* (Feb. 2, 2021), available at <https://denverite.com/2021/02/02/in-the-first-six-months-of-health-care-professionals-replacing-police-officers-no-one-they-encountered-was-arrested/>.

Herald by the Maine Attorney General, “42 percent of people shot by police since [the year] 2000” and “58 percent of those who died from their injuries” were experiencing a mental health crisis.² Consider these data along with the fact that more over one in five people experiencing homelessness also identified as having a mental illness.³

This committee has also debated and analyzed youth justice in Maine, an issue deeply linked with homelessness. According to the Bangor Daily News, between 2015 and 2017, the number of homeless or displaced youth jumped from less than 2,000 to more than 2,500, an approximately 30 percent increase.⁴ Due to the coronavirus and record unemployment in Maine, we can expect this year to be even worse. Moreover, unhoused people are disproportionately people of color and people with disabilities. In 2019, for example, Black and African American people made up less than two percent of Maine’s population but 26 percent of Maine’s unhoused population.⁵ Finally, intimate partner violence is a key driver of homelessness,⁶ and intimate partner violence often leaves psychological scars to which a mental health professional is better poised to respond than a police officer.

This bill saves civilian lives. It will make Maine more humane, especially to its most powerless residents. We urge you to vote *ought to pass*.

² Kelley Bouchard, *Across nation, unsettling acceptance when mentally ill in crisis are killed*, Press Herald (Dec. 9, 2012), available at <https://www.pressherald.com/2012/12/09/shoot-across-nation-a-grim-acceptance-when-mentally-ill-shot-down/>

³ Maine Homelessness Survey: 2019 Point in Time Count, MaineHousing, at 3 (2019), available at https://www.mainehousing.org/docs/default-source/housing-reports/2019-point-in-time-survey.pdf?sfvrsn=6d6fb415_4

⁴ Robbie Feinberg, *Maine schools under pressure amid spike in youth homelessness*, BDN, April 16, 2019, <https://bangordailynews.com/2019/04/15/news/bangor/maine-schools-under-pressure-amid-spike-in-youth-homelessness/#:~:text=Mikaylah%20is%20one%20of%20a,jump%20from%20two%20years%20prior.>

⁵ Maine Homelessness Survey: 2019 Point in Time Count, *supra*, at 2.

⁶ *Id.* (about 10% of people who were homeless in 2019 identified as domestic violence survivors).