

Sarah Michniewicz
PORTLAND

To the Senator Deschambault, Representative Warren, and Members of the Committee on Criminal Justice and Public Safety,

I'm a 24-year resident of Cedar Street in West Bayside, Portland, and I'm asking you to oppose LD 1478. I live four houses down from the Oxford Street Shelter. The OSS is a 154 bed adult emergency homeless shelter which is part of a social service cluster comprising over 364 permanent emergency shelter beds and over 200 overflow beds within a 500' radius.

Bayside hosts hundreds of low-barrier, high impact emergency shelter beds for the benefit of the rest of Portland, southern Maine, the rest of Maine, and cities, towns and states all across the nation, and around the world. Your neighbors become my neighbors. It's a deeply compassionate neighborhood.

29% of the State's emergency shelters beds are located in this dense residential neighborhood, anywhere from 0-50-500 feet from dwellings on the surrounding blocks, where the heaviest impacts are felt. The predictable, unintended, detrimental consequences of this bill will inordinately affect us, not the members of this body, not the co-sponsors of this bill, and not those sending you form letters of support from around the State.

Portland's extraordinary effort to care for your neighbors comes with a heavy cost. As the number of emergency beds in Bayside multiplied over the years, so did the crime. That's not a judgement - data support that fact.

20% of Portland's police calls for service come from Bayside – which comprises 1% of Portland's land mass, and where just 5% of its residents live. Most of the City's violent crime happens here, usually to people experiencing homelessness, which goes unreported because victims don't want reprisal from peers. Most calls to the police come from those serving homeless individuals. These facilities could not function without police involvement to address both violent crimes and the destabilizing, corrosive, "low-level" crimes this bill seeks to decriminalize.

Residents do also call, because the number of so-called "quality of life" crimes is staggering, and often impact the same neighbors, and the same businesses over and over and over, to the point where visitors are given a heads up of areas to avoid, and the least challenging path through the neighborhood is an indirect route, skirting the crowds of people blocking the sidewalk or in the street, drinking, doing drugs, fighting, etc.

For every incident that crosses the line into an actual call to the police, hundreds more are simply absorbed by this small community, without mention. It's extraordinarily wearing to everyone, housed or unhoused. Accepting that disorder, giving up on mutual expectation of respect, only degrades everyone's humanity further.

No one is suggesting arrest is the best, first, or even third, choice, and it just isn't used that way here. Portland police and the alternative responders do a phenomenal job working with unsheltered people, and have already instituted the measures LD 1478's "homelessness protocol" seeks to enshrine - crisis intervention and deescalation training, substance use and mental health liaisons, community policing coordinators with social work backgrounds, strong and collaborative relationships with service providers, and, for many of the officers who frequently work in Bayside, a deep knowledge of the situations and needs of individual unsheltered people. I support continuing to refine that approach, and encouraging and financially supporting other agencies to do the same.

The "decriminalizing" aspect of this bill, however, would leave residents, businesses, AND shelter providers with no recourse for the times when people excessively, intentionally and repeatedly engage these behaviors and cannot or will not desist, accept assistance, or voluntarily move on to a less disruptive location. Ironically one

of the agencies supporting this bill has also committed to using police intervention to calm and clear the areas around their own facilities.

I support using the courts wisely and compassionately, to address crimes in ways that promote connection to resources, and remove the stigma of a criminal record.

Deferred dispositions and community service, alternative sentencing, treatment and drug courts are all ways to acknowledge the need to respond to crime and disorder appropriately and sensitively for both the offender and the community. I ask for conversations over incarceration, and have participated in restorative justice, speaking up in court for a woman who burglarized my car, so she could stay out of jail and continue her recovery, which she did. She got sober, stayed housed. These interventions do work.

And that's the heart of it - not enforcement per se, but the possibility of enforcement, and the connections it can create. Arrest is a tool; it doesn't have to be used, but it's needs to be an available option.

Think about how you would feel if someone, housed or unhoused, could legally stake a claim on a public space to which everyone has a right, or in front of your home or business, blocking the sidewalk and your family's or your customers' comfortable entry and egress from your home or business; drinking, injecting drugs, urinating, fighting, yelling, blowing crack, meth or spice smoke around you as you pass, etc., as happens daily in my neighborhood.

Under LD 1478, there would no longer be any leverage if someone presents as homeless, refuses services, and doesn't want to move from a public way that should be safe and available for all. If you doubt this happens, I'm happy to share surveillance footage and pictures from around my home, and testimony from other neighbors, going back years.

I ask you to reject LD 1478, and instead use the Portland Police Department's homelessness protocol as a model for other municipalities, while simultaneously pursuing transitional, supportive, and permanent housing and regional service hubs; finding and funding ways of keeping people healthy and housed in their own communities; and committing to expanding the access to mental health and recovery resources that make arrest ever less likely or necessary.

Thank you for your consideration.

Sarah Michniewicz
Cedar Street