



Testimony of the  
Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations

*In Support of LD 1897*

“An Act To Prevent the Use of Prone and Supine Restraints, Chemical Sprays and Electroshock Devices on Juveniles Held in Department of Corrections Facilities”

Friday, February 11, 2022

Senator Deschambault, Representative Warren, and Honorable Members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Bruce King, and I am Co-Executive Director of Maine Inside Out, a nonprofit organization dedicated to building a movement for transformative justice, in which communities acknowledge and attend to the social, structural and systemic roots of crime and harm. I am also representing the Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations (“Permanent Commission”), as a Commissioner representing a historically disadvantaged racial population of the State.

I am honored to offer testimony in support of LD 1897, “An Act To Prevent the Use of Prone and Supine Restraints, Chemical Sprays and Electroshock Devices on Juveniles Held in Department of Corrections Facilities.” We extend deep gratitude to Rep. Grayson Lookner for introducing this bill.

The Permanent Commission is an independent entity with a mission to examine the racial disparities across Maine, and to work toward improving the status and outcomes for currently and historically disadvantaged racial, Indigenous, and tribal populations. Further, the Permanent Commission is empowered by state law to advise and consult all three branches of government.

We believe this bill is an important step in upholding the dignity of the young people held in state detention. Though more comprehensive data is needed to fully outline the risks of using prone and supine restraints, chemical sprays, and electroshock devices on kids, we know that when an institution uses these methods, it initiates a fight-or-flight response and causes further trauma instead of providing the support kids need to move past the challenges that contribute to their contact with the criminal legal system. We know that in moments of heightened stress, adults in an institutional setting are more likely to use harmful restraints on children with disabilities, Black and brown kids, and especially boys.<sup>1</sup> Nationally, at least 20 children died as a result of institutional physical restraints between 2001 and 2020.<sup>2</sup>

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<sup>1</sup> School Climate And Safety, US Department of Education, Office of Civil Rights, <https://www2.ed.gov/about/offices/list/ocr/docs/school-climate-and-safety.pdf>.

<sup>2</sup> Deadly Restraints Are Being Used on Children at Youth Homes and Schools, *Vice News*, <https://www.vice.com/en/article/7k9b89/deadly-restraints-are-being-used-on-children-at-youth-homes-and-schools>.

Most of us believe that every child, whatever their color, background, or zip code, has the right to grow up in a supportive environment that respects their humanity, upholds their dignity, and ensures just responses for mistakes and missteps. But today, some interest groups try to make us fear each other - even children, throwing away our public resources on a criminal legal system that targets kids with serious behavioral health challenges, immigrant kids, African American kids, LGBTQ+ kids, Indigenous kids, and kids with disabilities. Removing these children from their communities and causing immediate and long-term harm to their health, education, and well-being will not help them. We have a chance to rewrite the rules so that our system treats all our children humanely and with compassion, meeting childhood mistakes with proven approaches that help kids grow.

Thank you for your time and consideration of this bill. We respectfully urge you to support LD 1897. I am happy to answer any questions or provide additional information if desired.