

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Child and Family Services
11 State House Station
2 Anthony Avenue
Augusta, Maine 04333-0011
Tel.: (207) 624-7900; Toll Free: (877) 680-5866
TTY: Dial 711 (Maine Relay); Fax: (207) 624-5553

Testimony of Todd A. Landry, Ed.D., Director
Office of Child and Family Services
Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In Support of LD 837
An Act To Ensure That Definitions in the Child and Family Services and
Child Protection Act Comply with State and Federal Law

Hearing Date: March 29, 2021

Good Afternoon Senator Claxton, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services:

I am Todd Landry, Director of the Office of Child and Family Services (OCFS) within the Department of Health and Human Services and I am here today to introduce and testify in support of LD 837, An Act To Ensure That Definitions in the Child and Family Services and Child Protection Act Comply with State and Federal Law. This bill amends the definition of abuse or neglect in statute and enacts a definition for child sex trafficking within the Child and Family Services and Child Protection Act (CFSCPA) to bring Maine into compliance with the federal Child Abuse Prevention and Treatment Act (CAPTA).

CAPTA requires the state child welfare agency to ensure identification and assessment of reports involving children known or suspected to be victims of sex trafficking. In order to effectuate this requirement OCFS requires a statutory change to the definitions in the CFSCPA. Sex trafficking is already a part of the definition of abuse or neglect when it is perpetrated by a “person responsible for the child” (as defined in statute). Matters involving sex trafficking of children sometimes involve preparators who do not meet the definition of person responsible for the child. This change will ensure the Department has the legal authority to intervene in situations where sex trafficking of a child is occurring, regardless of whether or not the perpetrator is considered a person responsible for the child.

OCFS brought this proposal forward after work done last year to study and recommend improvements in the state’s response to commercial sexual exploitation of children (CSEC). This work was done in concert with the Maine Coalition Against Sexual Assault (MECASA) and the Muskie School of Public Service. One of the recommendations from that work was that OCFS consider proposing an amendment to statute to ensure child welfare staff have the legal authority to respond in all cases of suspected CSEC.

I urge you to support LD 837 and would be happy to answer any questions you may have.