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TESTIMONY OF MICHAEL KEBEDE, ESQ.

Ought To Pass – LD 1076

**An Act To Support the Operations of Youth Shelters in Maine**

Submitted to the

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

April 8, 2021

Senator Claxton, Representative Meyer, and Members of the Committee on Health and Human Services, greetings. My name is Michael Kebede and I am Policy Counsel for the ACLU of Maine, a statewide organization committed to advancing and preserving civil liberties in Maine. On behalf of our members, I urge you to support LD 1076 because it would create much-needed improvements in the youth housing systems that

If enacted, this bill would increase the funding provided to youth shelters from \$2,000,000 annually to \$2,500,000 annually; extend the length of time a child may stay at a shelter from 30 consecutive days or overnights to 90 consecutive days or overnights; require the Department of Health and Human Services to amend its rules for the licensure of shelters for homeless children to allow a child to be admitted for up to 30 days without first notifying the child's guardian; and require the Department to amend its rules for the licensure of emergency shelters for children to allow the admission of a child into care for up to 30 days without obtaining the permission of the child's guardian.

All of these changes would help Maine move away from resorting to the criminal legal system to address crises in the lives of our young people. Available data on youth justice in Maine support this conclusion. Published in February of 2020, the Maine Juvenile Justice System Assessment identifies the absence of community-based, therapeutic services as a core reason for the flaws in our system for responding to youth crises. The report reveals that “[i]n 53% of cases, the

reason for detention was to ‘provide care’ for youth.”<sup>1</sup> Perhaps more revealing is that “72.7% of detention stays lasting longer than 30 days were for youth awaiting placement.”<sup>2</sup> Moreover, the report showed that public safety is often not the primary reason for detention: “[i]n 47% of cases, youth were held in detention for 3 days or less, suggesting they were not significant public safety risks”<sup>3</sup> and “low risk youth staying substantially longer than high risk youth.”<sup>4</sup> In short, we are sending kids to prison because of the lack of community-based programs and services to provide supervision or housing.

This bill helps strengthen exactly the kinds of programs necessary to finally empty and close our youth prison. We urge you to vote *ought to pass*.

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<sup>1</sup> Maine Juvenile Justice System Assessment Final Report at 8, Center for Children’s Law and Policy et al. (2020) (hereinafter CCLP Report), available at <https://irp-cdn.multiscreensite.com/de726780/files/uploaded/Maine%20Juvenile%20Justice%20System%20Assessment%20FINAL%20REPORT%20202-25-20.pdf>

<sup>2</sup> CCLP Report at 37.

<sup>3</sup> CCLP Report at 8.

<sup>4</sup> CCLP Report at 8.