

TESTIMONY OF MEAGAN SWAY, ESQ.

**LD 393 – Ought To Pass As Amended**

**An Act To Amend the Laws Regarding Health and Human Services**

Joint Standing Committee on Health and Human Services

February 22, 2022

Senator Claxton, Representative Meyer and members of the Joint Standing Committee on Health and Human Services, good afternoon. My name is Meagan Sway, and I am policy director 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 support LD 373 as amended, which would provide crucial resources to families in Maine.

Among other things, this bill would provide for:

- \$2 million per fiscal year to the Office of Child and Family Services for behavioral health support (for the Homebuilders program and half for the home visiting program);
- \$420,000 per fiscal year to increase kinship navigator support;
- \$200,000 per fiscal year for temporary assistance through the Child Protective Services Contingency Fund; and
- The Department of Health and Human Services to study the feasibility of providing services to families in the midst of the rehabilitation and rehabilitation process to continue to receive services that they received before children were removed from the home.

Investment in families up front, the way this amendment proposes, can lessen our reliance on the criminal legal system. Too often in child protective

matters we focus on the punishment of bad acts long after things have gone horribly wrong. This reliance on the adult carceral system punishes wrongdoers but does not keep kids safe. For youth, investment in families can avoid unnecessary and traumatic stays at Long Creek. The term “school-to-prison-pipeline” is well-known, but foster care proves to be a bigger pipeline. One study found that by age 17, more than half of young people in foster care experienced an arrest, conviction, or overnight stay in a correctional facility.<sup>1</sup> This is especially acute for kids of color, especially Black kids, as well as LGBTQ+ young people, who are overrepresented in foster care placements. Providing investments upfront can lessen our reliance on harmful and traumatizing institutions later on.

Families belong together. The front-end investment envisioned by this amendment is crucial to keeping families safe from the outset. It provides resources to help parents get on track, for families to address the mental and behavioral health issues they might have earlier on, so that they can repair any harm before it's too late. Because this investment will help families succeed and lessen the need for the criminal legal system, we ask that you vote “ought to pass.”

---

<sup>1</sup> Mark E. Courtney, Sherri Terao & Noel Bost, “Midwest Evaluation of the Adult Functioning of Former Foster Youth: Conditions of Youth Preparing to Leave State Care,” University of Chicago, Chapin Hall Center for Children, 2004, available at <https://www.chapinhall.org/wp-content/uploads/Midwest-Study-Youth-Preparing-to-Leave-Care-Brief.pdf>.