



Senator Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, ME 04333-0003
(207) 287-1500

169 Coles Corner Road
Winterport, ME 04496

Testimony of Senate President Michael Thibodeau

LD 1921 “An Act To Grant the Department of Health and Human Services Access to Criminal History Information To Achieve the Purposes of the Child and Family Services and Child Protection Act”

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Senator Brakey, Representative Hymanson and members of the Health and Human Services Committee, I am Senate President Michael Thibodeau, and I have the distinct honor of representing the people of Waldo County. While the circumstances that have brought us together today are horrific, I am honored to present LD 1921, “*An Act To Grant the Department of Health and Human Services Access to Criminal History Information To Achieve the Purposes of the Child and Family Services and Child Protection Act.*”

This past winter, the citizens of Waldo County, the City of Bangor and many others across our state were shaken by the heartbreaking death of Marissa Kennedy. Thousands of Mainers mourned the unthinkable and inexcusable loss of Marissa. Vigils were held and questions began to be asked, “How could this have happened?”

Tragically, Marissa’s death was preceded by another horrific loss of a child in Mid-Coast Maine, Kendall Chick. It is the memory of these two precious lives that were cut short, along with the resolve to not let these tragedies continue, that brings us here today.

The bill before you was put forward by the administration in an effort to make the sharing of information more readily accessible between the Department of Health and Human Services (DHHS) and the Department of Public Safety (DPS). When the left hand does not know what the right hand is doing, they will not be on the same page. Similarly, as we saw in both of these cases, neither department knew the full extent of what was taking place in these homes or what measures were being taken to protect these young girls. By granting these two critical departments the ability to have more open lines of communication, we are taking the first step in making sure we do not repeat the mistakes of the past.

The unfortunate truth is that the current system in place failed Marissa Kennedy and Kendall Chick.

Over the last several months, DHHS has conducted internal investigations and the Legislature's Government Oversight Committee also has an ongoing investigation. The proposals you are considering originate from those important reviews. It should be noted that additional investigations will be conducted, such as the one by the Child Death and Serious Injury Review Panel. With all of these reviews, it is likely that more legislation and recommendations will be considered by the next administration and the next legislature. However, this legislature must take the first steps to make sure that we do all we can to avoid another preventable and tragic loss of a child due to abuse and neglect.

I do not know if having this bill in place would have changed the outcome for Marissa or Kendall. However, I believe future lives could be saved by having a system in place where lines of communication are more open and documents are more easily shared between DPS and DHHS.

In the legislature, we are constantly talking about protecting our most vulnerable populations – our children and our elderly. If we truly want to do that, we must take a strong stand and make common sense reforms and upgrades to Maine's child protective services. By allowing DHHS to access records and information regarding the well-being of children at risk, I believe we will take a step in the right direction.

I hope you will strongly consider the legislation before you, and I urge the committee to vote out a bill that can be passed by the legislature and put into law quickly. Failure to act will continue to allow precious lives to be put at risk.