



**Consumer Council System of Maine**  
A Voice for Consumers of Mental Health Services

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**CCSM Issues Development Subcommittee Final Board Approved 11/12/2025  
Submitted by Bangor Local Council**

**Decriminalizing Being Outside**

**The Issue:**

**We recognize that this does not apply to all communities and appreciate those that are showing compassion to those in need.**

City and town municipalities have the option to now enforce anti-camping ordinances, even where no shelter is available. This decision removes federal constitutional protection. It transfers responsibility to local municipalities which allows them to decide whether or not to enforce this rule which will have a direct negative impact on people who must rest or are unhoused.

The Consumer Council System of Maine (CCSM) has received credible peer reports detailing how current practices, especially in cities like Portland and Bangor, impact medically fragile individuals, people with disabilities, and unhoused residents. The denial of access to shaded rest areas, public benches, or safe places to nap poses barriers not only to basic dignity, but also to medical and service engagement. Please see attached examples.

**Recommendations:**

The Council urges state agencies, municipalities, and service providers to adopt consistent, humane standards that balance public access, individual rights, and logistical realities.

1. We would like all municipalities to adopt policies that are compassionate (See attached: Farmington's current operating procedure)
  2. Avoid punitive municipality enforcement unless adequate shelter and medical access are available.
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3. In all communities, wherever possible, implement shaded seating, rest zones, and accessible public restrooms.
4. State organizations and municipalities should involve people who are directly impacted in ordinance design, transit planning, and enforcement protocols.

### **Expected Outcomes:**

We expect a reduction in trauma and medical complications from displacement for our fellow peers. This would improve peer engagement with services, appointments and transit. If local municipalities clarified local enforcement practices that aligned with public health, our communities would thrive and would trust that they had the support needed in public space access.

This issue statement is not only directed to DHHS, but to town and city governments across Maine. Each municipality will now determine whether to protect rest and recovery or punish it. We also call on peers who are not directly impacted by these practices to act: speak at local meetings, ask about your city's policies, and show up for those who cannot. Public space belongs to the public.

Local governance now carries a heavier impact on successful outcomes for our peers, both systemically and ethically.

We welcome input on how best to cascade this information to municipalities across the state.

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