

Janet T. Mills  
Governor

Sara Gagné-Holmes  
Commissioner



Maine Department of Health and Human Services  
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January 29, 2026

Simmons Maline, Executive Director  
Consumer Council System of Maine  
219 Capitol Street, Suite 7  
Augusta, ME 04330

Dear Ms. Maline,

Thank you for your issue statement regarding decriminalizing being outside dated December 17, 2025. The primary issue pertains to a municipality's option to now enforce anti-camping ordinances, even when there is no shelter available, and how such ordinances may impact medically fragile individuals, people with disabilities, and unhoused residents.

The Council urges state agencies, municipalities, and service providers to adopt consistent, humane standards that balance public access, individual rights, and logistical realities, focusing on four key recommendations:

1. All municipalities adopt compassionate policies;
2. All municipalities avoid punitive enforcement unless adequate shelter and medical access are available;
3. Implement shaded seating, rest zones, and accessible public restrooms in all communities, wherever possible; and
4. State agencies and municipalities should involve people who are directly impacted in ordinance design, transit planning, and enforcement protocols.

The Office of Behavioral Health (OBH) currently operates an existing housing portfolio inclusive of the Permanent Supportive Housing Program (PSHP), Bridging Rental Assistance Program (BRAP), and Projects for Assistance in Transitioning from Homelessness (PATH), to provide housing resources and case management to individuals experiencing homelessness. OBH also oversees the state's crisis services and several other services or programs that can offer support to eligible individuals experiencing mental or behavioral health impacts from camping ordinance enforcement, including but not limited to: assertive community treatment (ACT), community rehabilitation services (CRS), community integration (CI), daily living support services (DLSS), medication management, veteran community integration services, wrap funding, medication assisted treatment (MAT), and community peer support services.

However, as the Department does not hold oversight over municipalities, OBH suggests the Council outreach community partners such as Maine Municipal Association, Statewide

Homeless Council (SHC)<sup>1</sup> – including SHC Regional Councils<sup>2</sup>, and the Bureau of Parks and Lands, as these entities would be most appropriate to address the concerns and proposed recommendations outlined in the issue statement.

While this issue statement falls outside of the purview of what the Office of Behavioral Health may address, the Department acknowledges and appreciates the role of the Council to safeguard the fundamental rights of Mainers who are medically fragile, living with disabilities, and/or experiencing homelessness. As the DHHS representative for the SHC, OBH can share this issue statement and recommendations for consideration and further review during a future SHC meeting<sup>3</sup>. The Department values the Council's commitment to this work and looks forward to continued collaboration to strengthen the system of care in Maine.

Sincerely,

Signed by:

*Sarah Squirrell*

Sarah Squirrell, MS

Director

Office of Behavioral Health

Maine Department of Health and Human Services

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<sup>1</sup> The Maine Statewide Homeless Council is charged with assessing statewide needs and identifying potential resources and improving access to them, among several other relevant responsibilities. With members from state, municipal, and private organizations, the SHC would be one of the most recommended resources for engagement on this issue.

<sup>2</sup> There are three Regional Homeless Councils in Maine: Region 1 covers York and Cumberland counties, Region 2 includes Sagadahoc, Lincoln, Knox, Waldo, Androscoggin, Kennebec, Franklin Oxford, and Somerset counties, and Region 3 consists of Piscataquis, Penobscot, Hancock, Washington, and Aroostook counties. Each Regional Council is made up of local service providers, advocates, and people with lived experience of homelessness, working together to address issues related to housing and homelessness in the communities they serve.

<sup>3</sup> SHC hosts quarterly public meetings where anyone who attends can speak and respond to presented matters.