



Testimony of Melissa Hackett

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In support of LD 246, An Act to Establish the Option of Sentencing Alternatives for
Primary Caregivers
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Good morning, Senator Carney, Representative Kuhn, and members of the Judiciary Committee. I am offering testimony today on behalf of the Maine Children's Alliance, in support of LD 246, An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers.

According to a 2016 Annie E. Casey Foundation report, [A Shared Sentence](https://assets.aecf.org/m/resourcedoc/aecf-asharedsentence-2016.pdf),¹ more than 5 million children in the United States have had a parent in jail or prison at some point in their lives. The consequences of parental incarceration can be devastating for children and families, with many struggling with economic hardship, uncertain living arrangements, and additional stress on the non-incarcerated parent. This stress and instability during early development impacts child mental health and emotional well-being, during the event and well beyond it.

Among states, the percentage of children with an incarcerated parent varies, from 3 percent in New Jersey to 13 percent in Kentucky (2016). That same year, in Maine there were an estimated 20,000 children (or 8%) who had a parent in jail or prison sometime in their childhood. This was the highest rate among New England states.¹

Incarcerated parents are more often fathers, many of them young. Even if parents were not living with their children before incarceration, more than half provided primary financial support.¹ Children with incarcerated mothers are more likely to end up living with family members or entering the foster care system.¹ This is particularly impactful for mothers of young children, as it disrupts a key period of bonding. Having a parent incarcerated is considered an Adverse Childhood Experience, as traumatic as abuse, domestic violence, and divorce, with a lasting negative impact on a child's well-being.¹

Several states have made significant changes to their correctional systems, shifting to less costly alternatives for addressing nonviolent offenses, while maintaining public

¹ Annie E. Casey Foundation. A Shared Sentence: The devastating toll of parental incarceration on kids, families and communities. KIDS COUNT Policy Report. April 2016.
<https://assets.aecf.org/m/resourcedoc/aecf-asharedsentence-2016.pdf>

safety. Yet policy conversations on this topic rarely lift up the impact of incarceration on children.

According to a Place Matters report, [Breaking the Cycle: Interrupting Generational Incarceration in Maine](#),² over a 5-year period (2015-2020), parental incarceration impacted 3,403 Maine children. This is likely a conservative estimate. Black or African American and Native American or Indigenous children are disproportionately affected by parental incarceration in Maine. Nearly 300 children were under the age of 5 years old.²

“I’m a mother of a 14-year-old boy now, and I was an everyday mom before I came here and I just thought, you know, this doesn’t happen to people. How can I just be taken away from him and just be gone? I’d taken care of him his whole life. And then I got here and I met all kinds of women. Just like me.” — Maine mother, student, and justice scholar²

Parents who are incarcerated are fathers, mothers, providers, and community members. Their incarceration has a significant negative impact on the financial and psychological well-being of their children, and the rest of the family left to navigate this traumatic experience. To support family financial stability and child well-being, it is critical that Maine take this step to divert parents from incarceration whenever safely possible. This is best for Maine children, their families, and our communities. Thank you.

² Place Matters. Breaking the Cycle: Interrupting Generational Incarceration in Maine. November 2020.