

Diane Redleaf
Oak Park IL
LD 891

Written testimony of
Diane L. Redleaf,
Principal, Family Defense Consulting
801 Fair Oaks, Oak Park IL 60302
familydefenseconsulting@gmail.com
708-927-8169.

For a Public Hearing of the Maine Legislature Committee on Health and Human
Services
Concerning LD 891
April 9, 2025

Thank you for the opportunity to submit testimony in support of LD 891.

I am a lawyer, policy advocate, and founder and former executive director of a family defense advocacy center in Chicago, Illinois. I am also a long-time member of the American Bar Association's National Alliance for Parent Representation's Steering Committee. Currently, I also serve as the legal consultant to Let Grow, a national non-profit, co-founded by social psychologist Jonathan Haidt (author of numerous books including *The Anxious Generation*), journalist Lenore Skenazy, hedge fund leader Danial Schuchman and psychology professor Dr. Peter Gray.

I became aware of the legislative proposal embodied in LD 891 after I was invited to give a keynote speech at the recent Maine Public Defender's conference in Lewiston (March 31-April 2).

While I am submitting this testimony individually and not on behalf of Let Grow, the policy that LD 891 will enact is fully consistent and in line with the legislative advocacy work I lead for Let Grow. Let Grow's legislative advocacy rests on the organization's recognition that one of the drivers behind children's inability to enjoy freedoms that children once took for granted is that we too often demonize of parents as criminals or as child neglectors if they allow children to play outside, walk into town or be home alone. This is a function, in part, of very broad neglect and "risk of harm" laws that confer essentially unfettered discretion onto agencies to decide what is neglect and what is endangerment. Because childhood cannot be separated from giving children the opportunities to learning to handle risks for themselves, the insistence that childhood needs to micro-managed by adults at all times has been disastrous for children—for families that want to give kids independence because they believe it is best for them, and for families who want to have more flexibility in child care arrangements out of economic necessity.

Indeed, it has become well-established (see article in *Journal of Pediatrics* by Let Grow's founder Dr. Peter Gray, that the diminution of childhood freedom has a causal link with children's mental health crisis across America. Not only are neglect laws failing to protect children, but they are also actually harming children by limiting parents' ability to manage the normal risks of childhood without fear of state intervention. This is especially harmful for low-income and single parents who are trying to raise children while working multiple jobs to put food on the table and keep roofs over their family's heads.

Measures like LB 891 tighten subjective laws that leave families—and especially those in poverty—at risk. This intervention traumatizes families, puts them at risk of separation and in many cases causes a snowballing impact of harms that are intergenerational.

I'm pleased to report, however, that so far 9 states (including Georgia this month) have passed laws that narrow neglect definitions, at least in the arena of allowing children to engage in independent activities to make clear that a child being alone is not "neglect" or "endangerment" except if the parent willfully ignored an obvious

danger to the child.

While independence for children is an issue that cuts across class lines, we recognize that poverty is a key driver of hotline calls across America, including especially in Maine. I have written about this issue in several articles, including [here](#) and [here](#). The December 2020 Imprint article about the need to end the confusion between poverty and neglect was met, in turn, with a published response by two nationally regarded child welfare agency directors, Jess McDonald (past Illinois agency director) and Tom Morton (past Las Vegas/Clark County director), who agreed! It is the failure of states to separate poverty from neglect continues to drive up child protection cases without addressing the root causes of the hotline calls in the first place.

The language of LB 891 is powerful and is consistent with the direction all states should be adopting. Not only does the language recognize that poverty isn't neglect, but it tightens the grounds for intervention to recognize the importance of prioritizing attention to children whose safety in their homes is in immediate risk. This is consistent with the constitutional standard of intervention into the family that the courts have long articulated (including in my own litigation in the 7th Circuit Court of Appeals, *Hernandez v. Foster*, 657 F.3d 463 (7th Cir. 2011)).

Thank you for considering this testimony as you deliberate concern