

Testimony in Support of LD 246
An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers
February 26, 2025

Chairwoman Carney and Members of the Judiciary Committee,

My name is Olivia Kelly, and I am a recent college graduate and a resident of Islesboro, Maine. I write to you on behalf of Restorative Justice Project Maine's Legislative Committee, of which I am a member, but also as a concerned member of Maine's next generation.

Today, we urge you to support LD 246, a bill allowing the courts to grant parents and caregivers alternative sentences to imprisonment based on family circumstances, the individual's character, and the nature of the offense. It is well known that parental incarceration puts children at an increased risk for mental health issues, lower educational achievement, homelessness, and involvement in the justice system. Investing in this bill is an investment in preventative action against economic and social instability, the burden of which harms not only individuals and their communities, but the state as a whole.

Implementation of LD 246 is also critical in supporting our aging population. With nearly a quarter of Mainers being 65 or over—our state has the highest percentage of people over 65 in the nation—this bill would help keep elderly individuals, as well as other dependents, in their homes with their families and prevent disruptive and potentially dangerous lapses in care. Restorative Justice Project Maine knows from experience that restorative responses to harm are often more appropriate and effective than incarceration at responding to harm and supporting safety in our communities. This bill provides an opportunity to avoid the detrimental and compounding effects of incarceration for both those who provide essential care to others, and those who receive it.

Core to restorative practices is the strengthening and repair of communities. We urge the committee to endorse LD 246 and advocate for its enactment so that family fragmentation and community destabilization are prevented whenever possible.

Thank you.

On behalf of Restorative Justice Project Maine,

Olivia Kelly