

Testimony in support of LD 246 – An Act to Establish the Option of Sentencing Alternative for Primary Caregivers (February 12, 2025)

Greetings Senator Carney, Representative Kuhn, and honorable members of the Committee on Judiciary. My name is Chris McLaughlin, and I am the proud Executive Director of the Maine Chapter of the National Association of Social Workers (NASW ME). On behalf of our over 1,000 members here in Maine, I'm honored to share thoughts on this important piece of proposed legislation. I am also a licensed clinical social worker with almost 25 years of clinical experience providing and leading behavioral healthcare services across a variety of treatment settings here in Maine. Most of my clinical career has been spent supporting children and families residing in our great state.

NASW ME would like to take this time to offer our support for LD 246, and we thank Senator Rachel Talbot Ross for her leadership and advocacy on this important issue. This vital legislation recognizes the profound and often overlooked ripple effects that incarceration can have on families, particularly on children, elderly dependents, and individuals with disabilities. By requiring courts to consider alternative sentences for primary caregivers, LD 246 seeks not only to uphold the integrity of the justice system but also to protect our most vulnerable citizens from the secondary trauma of separation.

Maine's children are in crisis. According to the National Survey of Children's Health, over 50,000 youth in our state have experienced multiple Adverse Childhood Experiences (ACEs), with parental incarceration being a significant factor. The research is clear: children with incarcerated parents are more likely to face mental health challenges, exhibit behavioral problems, experience social isolation, and suffer from economic hardship. These children are also more likely to perform poorly in school and have higher absentee rates.

LD 246 empowers judges to take a more holistic view of justice. This approach does not excuse criminal behavior but rather acknowledges that the well-being of dependent children and adults must be a factor in our justice system. It promotes sentences that are not only just but also compassionate and pragmatic. The benefits of alternative sentencing extend beyond the immediate family. Reducing the number of children affected by parental incarceration can alleviate long-term costs to society by decreasing the likelihood of future incarceration, reducing the strain on child welfare systems, and fostering healthier, more resilient communities.

We would like to offer a suggestion for the work session on this piece of essential legislation. In reviewing the current language of LD 246, we did not see any mention of pregnancy as a factor that might be considered when looking at the definition of "primary caregiver." NASW ME would recommend that pregnancy be added to the language of this bill as an important part of the determination as to whether alternative sentencing options are to be considered.

In conclusion, LD 246 represents a critical step towards a more humane and effective justice system. We urge the committee to support this legislation, recognizing that in doing so, we are not only supporting individuals but strengthening entire communities. Thank you for considering this testimony, and we look forward to seeing LD 246 advance with a vote of "Ought to Pass as Amended" to include the suggestion of the additional language referenced above.

Thank you for your time and consideration,



Chris McLaughlin, MSW, LCSW
Executive Director, Maine Chapter – NASW