

Testimony of Melissa Hackett
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In opposition to LD 592, An Act to Amend the Laws Governing the Crime of Endangering the Welfare of a Child and to Create the Crime of Aggravated Endangering the Welfare of a Child
March 16, 2025

Senator Beebe-Center, Representative Hasenfus and esteemed members of the Criminal Justice and Public Safety Committee. My name is Melissa Hackett, and I am offering testimony in opposition to LD 592 on behalf of the Maine Child Welfare Action Network.

If we want to prevent future tragedies, we need to work together to prevent child abuse and neglect in our state. We know what the risk factors are, and we know what can work to prevent and lessen harm. Generally, this means strengthening families to keep children safe.

Effective strategies impact individual behaviors and acknowledge the relationships of family, school, community, and societal factors that influence risk and protective factors.ⁱ This includes modifying policies, practices, and societal norms to create safe, stable, nurturing relationships and environments for children. Efforts include policy solutions to provide economic and concrete supports to families, and public benefits programs that ensure critical supports like child care, home visiting, and primary care are available to families.ⁱⁱ

The conditions in households that lead to the risk for child abuse and neglect are complex and nuanced, often involving parental challenges like unmet mental health needs, unmanageable substance use disorder, or domestic violence. Economic hardship and social isolation often exacerbate these challenges. This can create an overwhelming burden on families that makes it impossible for them to function in safe and healthy ways. To prevent harm in these situations, we need to intervene with supports to families in these times of need. Punishment after the fact will do nothing to stabilize families experiencing challenges, or to prevent future tragedies resulting from a lack of effective intervention.

Since 2018, there have been many entities that have developed and released recommendations to improve Maine's child welfare system, including the Maine Child Welfare Action Network, Casey Family Programs, OPEGA, the Child Welfare Ombudsman, and the state's three citizen

review panels. None of these recommendations reference the further criminalization of neglect as a means of preventing child abuse and neglect, improving child safety, or strengthening our state's child welfare agency.

The challenges to safety and stability are significant for families right now. Social stigma and fear of losing a child to state custody often prevent parents from seeking help when they need it to address challenges. This is especially true for women who are survivors of domestic violence and pregnant or parenting mothers with SUD.ⁱⁱⁱ When we publicly entertain policy proposals to further criminalize these challenging situations for families, we underscore that fear and stigma, and perpetuate a system where parents are afraid, rather than encouraged, to seek help. This makes children less safe.

We need to focus our collective action and efforts toward ensuring families have what they need, when they need it, to care for themselves and their children. Focusing on efforts to increase punishment after the fact are not only a distraction from where our efforts need to be to prevent child abuse and neglect, but they also damage our ability to build trust with families so they feel they can reach out for help before they are in crisis and children are unsafe.

We all care deeply about the safety and well-being of Maine's children. We cannot prosecute our way to improving outcomes for them and their families. I strongly urge the committee to vote ought not to pass on this legislation. Thank you.

ⁱ Centers for Disease Control and Prevention, Violence Prevention, Prevention Strategies <https://www.cdc.gov/violenceprevention/childabuseandneglect/prevention.html>

ⁱⁱ Chapin Hall, A Key Connection: Economic Stability and Family Well-being. Addressing economic hardship as a factor in child welfare involvement <https://www.chapinhall.org/project/a-key-connection-economic-stability-and-family-well-being/>

ⁱⁱⁱ Association of State and Territorial Health Officials, Stigma Reinforces Barriers to Care for Pregnant and Postpartum Women with Substance Use Disorder, <https://www.astho.org/globalassets/brief/stigma-reinforces-barriers-to-care-for-pregnant-and-postpartum-women-with-substance-use-disorders.pdf>