



## Hold Parents Accountable in Ways That Allow Them to Care for Their Children

By Reforming the  
Use of Money Bail

Children need their parents to care for them and work to meet their basic needs. Unfortunately, in Kentucky 15 percent of children have had a parent separated from them due to incarceration—the 2nd highest rate in the nation. Children whose parents are incarcerated have to move more often, are more likely to drop out of school, and are more likely to experience poor physical and mental health as adults.

Children experiencing parental incarceration need a system of justice that holds parents accountable effectively and focuses decisions about jail time on risk to public safety and whether they'll return to court. And parents awaiting trial do not need obstacles to being able to work and care for their children.

### **Keep parents working and caring for their children as they await trial:**

#### **Make decisions about who is jailed prior to trial about public safety rather than a person's ability to pay**

For people who have committed less serious offenses and do not pose a risk to public safety, limiting the use of monetary bail would avoid incarceration simply because the person could not pay their bail. People who are not deemed a risk to public safety and who are likely to return to court could then continue to work and care for their children. This could be especially beneficial when mothers are awaiting trial because, if their mother is jailed, those children are more likely to be placed in foster care—a system that is already strained.

#### **Reserving incarceration for those who pose a public safety risk helps keep families together now and in the future**

Research shows that the longer a person who is assessed as low-risk is jailed prior to trial, the more likely they are to commit another crime within two years. Kentucky courts can require people who are not a risk to public safety to follow certain conditions for release as they await trial—such as not using drugs or alcohol, not contacting certain people, and avoiding certain locations—while ensuring those who are a safety risk stay in jail.

### **Blueprint for Kentucky's Children Solution:**

Minimize the impact of parental incarceration on children by limiting the use of money bail and making decisions about jail time prior to trial based on public safety risk.