



Kentucky can...

## Hold Parents Accountable in Ways That Minimize the Impact of Parental Incarceration on Children

Children need their parents to care for them and work to meet their basic needs. Unfortunately, **in Kentucky more than one in 10 children have had a parent separated from them due to incarceration**—the 6th highest rate in the nation. Having a parent incarcerated can negatively impact a child’s behavioral, educational, and health outcomes. Even short stays in jail for a parent can create negative consequences for children and for the parent’s ability to financially support the family.

**To minimize the impact on children, Kentucky needs a system of justice that promotes accountability and reserves incarceration for those who pose a flight risk or risk to public safety.**

For parents who have committed a nonviolent offense and do not pose a risk to public safety, there are community-based alternatives to incarceration, like required substance use treatment, parenting classes, vocational training, or mental health services. With a statute similar to Tennessee’s, Kentucky can allow judges more options for imposing these community-based alternative sentences if the person who committed the nonviolent offense is a primary caregiver of a dependent child.

Holding parents accountable in these ways allows them to continue caring for their children and helps them be more successful in contributing to society. Higher rates of incarceration overall impact people’s ability to keep jobs and find employment after release, impacting a community’s workforce.

Utilizing alternative sentencing that allows parents to stay connected to children would minimize the trauma for children of having a parent incarcerated and the disproportionate impacts on Black youth.

**Parental incarceration is an Adverse Childhood Experience that has been referred to as a “shared sentence” due to the short and long-term effects it has on children.**

### What does the data tell us?

- Due to systemic inequities within the criminal justice system, Black children are disproportionately impacted by having a loved one incarcerated across all community types.
- More than half of adults in state custody are parents, including 64% of women and 55% of men.
- Black men are overrepresented in the incarcerated population, and therefore, in the population of incarcerated fathers.
- Women (at 27%) are more likely than men (at 15%) to be incarcerated for a drug offense as their most serious offense, and 53% of women are in state custody for a Class D non-violent, non-sexual offense.

### Blueprint for Kentucky’s Children Solution:

Utilize community-based sentencing alternatives that promote both rehabilitation and accountability while factoring in whether a person is a primary caregiver so parents can continue providing for their children.