

# Kentucky should...



hold parents accountable in ways that minimize the impact of incarceration on their children

**Parental incarceration is an Adverse Childhood Experience (ACE) that's often referred to as a shared sentence due to its negative impact on children**, including disruptions to their living situation, higher rates of depression, anxiety, shame, and substance use, as well as poor academic performance.

Studies show that children whose parents have been incarcerated are more likely to experience other ACEs – including parental separation or divorce, violence in the home, and exposure to parental substance use – when compared to children whose parents haven't been incarcerated.

Being incarcerated, even for a short amount of time, can lead to job loss and exacerbate financial hardships, due to things like court fines and fees.

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

***More than 115,000 children in Kentucky have experienced the disruption and trauma of having a parent incarcerated at some point in their lives.***

***Kentucky has the third highest rate of parental incarceration in the nation.***

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

Enact caregiver consideration legislation to expand the court's options for alternative sentences to incarceration when the defendant is the primary caregiver to a dependent child.

**Available data from states with caregiver consideration laws have shown promising results related to keeping parents and children together.** The Community Parenting Alternative and Family Offender Sentencing Alternative programs show that, because of these programs, there was a decrease in children entering foster care and reduced recidivism.

When a parent commits a non-violent or less serious offense, the courts can prioritize the use of community-based alternatives – like community supervision, vocational training, mental health services, or outpatient substance use treatment – allowing families to stay together, reducing state and taxpayer spending, and improving outcomes for children.