



April 6, 2019

Senator Nancy Skinner, Chair
Committee on Public Safety
State Capitol, Room 2031
Sacramento, CA 95814

**RE: SB 394 (Skinner): Criminal procedure: diversion for primary caregivers of minor children.
AAP-CA Position: Support**

Dear Senator Skinner:

The American Academy of Pediatrics, California (AAP-CA) representing the over 5,000 board-certified pediatrician members of California AAP Chapters 1, 2, 3 and 4 statewide, strongly supports your proposed legislation SB 394 (Skinner), which would create a pretrial diversion program for defendants charged with a misdemeanor or a nonserious, nonviolent felony who are primary caregivers of a minor child.

The incarceration of a parent is an inherently traumatic event for a child of any age. A study published in the September 2018 issue of the journal *Pediatrics* found that the incarceration of a parent was associated with unhealthy behaviors in young adulthood, even after controlling for other variables. This finding builds on previous research which has established that parental incarceration “is associated with learning delays and behavioral problems [... and] is detrimental to health in childhood and adulthood,” with significantly higher rates of asthma, HIV/AIDS, depression, anxiety, and posttraumatic stress disorder among those whose parents were incarcerated (“Health Care Use and Health Behaviors Among Young Adults With History of Parental Incarceration”). No child, of course, should live in an unsafe home; but all too often, parents are jailed for minor, nonviolent offenses, removed from their children when there is no threat to the child’s well-being.

SB 394 (Skinner) would reduce the trauma of parental incarceration by allowing parents who are their children’s primary caregivers to complete a specially designed diversion program rather than face jail time for minor, nonviolent offenses—thus avoiding the punishment of children for their parents’ deeds.

Pediatricians across the state of California urge an AYE vote on SB 394 (Skinner). Thank you for your public service and leadership on behalf of the health and well-being of the children, youth, and families of California.

Sincerely,

A handwritten signature in black ink that reads "Kris E. Calvin".

Kris Calvin
Chief Executive Officer
American Academy of Pediatrics, California

cc: AAP-CA Leadership; AAPCA Advocate Lydia Bourne