

TESTIMONY OF MEAGAN SWAY, ESQ.

Ought to Pass - LD 1116

An Act to Provide Rural Sober Living Housing for Mothers

Submitted to the

JOINT STANDING COMMITTEE ON LABOR AND HOUSING

April 25, 2023

Senator Tipping, Representative Roeder, and distinguished members of the Joint Standing Committee on Labor and Housing, greetings. My name is Meagan Sway, and I am the Policy Director at the ACLU of Maine, a statewide organization committed to advancing and preserving civil rights and civil liberties guaranteed by the Maine and U.S. Constitutions. I am here today to testify in support of LD 1116, which would increase the availability of certified recovery residences for mothers recovering from substance use disorder and their children.

As this committee well knows, Maine faces a dearth of housing options, especially for people with low incomes. This is even more acute for people who are in recovery. The inability to find stable housing can prevent or interrupt recovery, leading to homelessness and, all too often, incarceration. Conversely, having a safe place to live can prevent destabilization and keep people in their communities, healthy and thriving on their own terms.

Providing housing to mothers with substance use disorder strengthens families. According to the federal Substance Abuse and Mental Health Services Administration, 70 percent of women entering treatment have children.¹ Providing housing means that more families can stay together safely. And, evidence shows that relationships with their family and children play a crucial role in women's recovery. By providing recovery housing for mothers and their children, the legislature will strengthen families and strengthen recovery, together.

We can see what happens when women do not have the supports they need to thrive on their own terms. Women have been especially hard-hit by our nation's doubling down on punishment over treatment for substance use disorder. Between 1986 and 1999, the number of

¹ https://www.samhsa.gov/sites/default/files/family_treatment_paper508v.pdf

women incarcerated in state facilities for drug-related offenses increased by 888 percent, far outpacing the growth in the number of men imprisoned for similar conduct.² By 2003, 58 percent of all women in federal prison were convicted of drug offenses, as compared to 48 percent of men.³ This mirrors the statistics in Maine: a search of the Maine Department of Corrections website shows that as of the date of this testimony, there are 168 women incarcerated in Maine's prisons. Of those, at least 96 (58 percent) are incarcerated for drug charges. This is an incredibly expensive use of state resources: a year in state prison costs about \$54,300, which is more than twice as much as it would cost to provide housing, weekly counseling and medication-assisted treatment for a year at current MaineCare reimbursement rates.⁴

We urge legislators to turn away from the devastation that criminalizing people who use drugs causes. This bill is a crucial step in that direction, supporting a public health approach to problematic substance use. It is this public health approach that will promote healthier families and healthier communities. We urge you to vote ought to pass.

² American Civil Liberties Union, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center, Caught in the Net: The Impact of Drug policies on Women and Their Families, at p.1 available at https://www.aclu.org/sites/default/files/images/asset_upload_file393_23513.pdf.

³ *Id.*

⁴ ACLU of Maine and Maine Center for Economic Policy, A Better Path for Maine, at p. 30, available at <https://www.aclumaine.org/publications/better-path-maine-case-decriminalizing-drugs>.