



May 2, 2023

Senator Carney, Representative Moonen, and Honorable Members of the Joint Standing Committee on Judiciary,

We join you today on behalf of the Maine Women's Lobby **in support of LD 1516, An Act to Establish Alternative Sentencing for Primary Caregivers**, and thank Speaker Talbot Ross for sponsoring this important bill.

In 2002, there were only 25 women in Maine's state prison. That number has grown almost ten times, to approximately 10 times that number¹.

In Maine, women are the sole, primary, or co-caregivers in 75 percent of families.¹

The significant rise in incarcerated women in our state means that there is, by definition, a significant rise in incarcerated primary caretakers and in families separated by incarceration.

We recognize that this bill is gender neutral, and we are in strong support of that approach, but we do not want to overlook the unique harms that come specifically to women in the carceral system.

Incarcerated women are five times more likely to have their children placed in foster care and have their parental rights terminated than incarcerated men.²

Additionally, incarcerated women have substantially higher levels of lifetime trauma and of sexual and domestic violence than the public. In many cases these experiences, or the resultant mental health needs or drug involvement that can stem from them, can interrupt or challenge people's best efforts at parenting. Incarceration adds a further layer of harm to these families.

Carceral systems that create barriers between children and parents contribute to intergenerational trauma. LD 1516 can begin to break that cycle of trauma.

The challenge of increasing numbers of women in prison and jail, and the resultant separation of families, is not unique to Maine. States across the country are facing this same concern, as our nation's carceral system has swelled to nearly two million³ – far larger than the population of the state of Maine. As communities grapple with this impact, **twelve states have moved**

¹ Sarah Jane Glynn, "Breadwinning Mothers Continue to Be the U.S. Norm" (Washington: Center for American Progress, 2019), available at <https://americanprogress.org/issues/women/reports/2019/05/10/4>

² The Marshall Project. (2018). How incarcerated parents are losing their children forever. Retrieved from <https://www.themarshallproject.org/2018/12/03/how-incarcerated-parents-are-losing-their-children-forever>

³ Prison Policy Initiative. (2023). Mass Incarceration: The Whole Pie 2023. Retrieved from <https://www.prisonpolicy.org/reports/pie2023.html#:~:text=Together%2C%20these%20systems%20hold%20almost,centers%2C%20state%20psychiatric%20hospitals%2C%20and>

forward with policy solutions specific to decreasing the harm of incarceration on caregivers, ranging from increased diversion, changing family contact laws, and proposals like this one.

All of them make an effort to respond to the issues of family separation and mass incarceration, and we support this proposal – but we are supporting it **alongside work to end the incarceration of our family members, and bring them home where they can have access to the basic needs, dignity, and healing that they deserve.**

We hope you will vote Ought to Pass.

Sincerely,

Destie Hohman Sprague
Maine Women's Lobby