



February 26, 2025

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

I join you today on behalf of the Maine Women's Lobby. For over forty years the Maine Women's Lobby has advocated for gender-responsive and gender-equitable public policies with a focus on those most affected by misogyny, sexism, and other forms of oppression. We are **in support of LD 246, An Act to Establish Sentencing Alternatives for Primary Caregivers**, and thank Senator Talbot Ross for sponsoring this important bill.

Incarceration rates for women in Maine, and across the country, have **skyrocketed over the last several decades**: In 1990, 44 Maine women were incarcerated, by 2000 the number had risen to 66¹, and in 2022, 154 Maine women were incarcerated².

In Maine, women are the sole, primary, or co-caregivers in 75 percent of families-- and 48 percent of those women in Maine are either unmarried working mothers or married mothers who outearn their partners³. **The rise in incarcerated women means that there is, by definition, a significant rise in incarcerated primary caretakers and families separated by incarceration.** From 2015-2020, over 3,400 Maine children were impacted by parental incarceration⁴ - and women who are caregivers experience this separation more acutely, as incarcerated women are five times more likely to have their children placed in foster care and have their parental rights terminated than incarcerated men.⁵

The effects of this separation are profound and long-lasting. Incarcerated women have substantially higher levels of lifetime trauma and of sexual and domestic violence, and that trauma - or the resultant mental health needs that can result - may interrupt or challenge people's best efforts at parenting. Incarceration adds a further layer of harm to these families. **Systems that create barriers between children and parents contribute to intergenerational trauma. LD 246 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

¹ U.S. Department of Justice Office of Justice Programs, Bureau of Justice Statistics. "Prisoners in 2000" <https://bjs.ojp.gov/content/pub/pdf/p00.pdf>

² U.S. Department of Justice Office of Justice Programs, Bureau of Justice Statistics. "Prisoners in 2022 – Statistical Tables": <https://bjs.ojp.gov/document/p22st.pdf>

³ Sarah Jane Glynn, (2019). "Breadwinning Mothers Continue to Be the U.S. Norm" (Washington: Center for American Progress, 2019). Retrieved from <https://www.americanprogress.org/article/breadwinning-mothers-continue-u-s-norm/>

⁴ Place Matters Project at the University of Southern Maine, (2020). Interrupting Generation Incarceration in Maine" Retrieved from "Breaking the Cycle: (<https://placemattersmaine.org/wp-content/uploads/2021/01/BreakingtheCycle.pdf>)

⁵ 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>

nation's carceral system has swelled to nearly two million⁶ -- far larger than the population of the state of Maine. As communities grapple with this impact, twelve states have moved 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.⁷

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

⁶ 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>

⁷ Prison Policy Institute, (2023). How 12 states are addressing family separation by incarceration — and why they can and should do more. Retrieved from <https://www.prisonpolicy.org/blog/2023/02/27/caregivers/>