

Rep. Rachel Talbot Ross
Co-Chair

Amb. Maulian Dana,
Penobscot Nation
Co-Chair



**Permanent
Commission**
**RACIAL, INDIGENOUS
& TRIBAL POPULATIONS**

**Testimony of the
Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations**

In Support of LD 1721
“An Act Regarding Dignity for Women in Correctional Facilities”

Wednesday, February 18, 2022

Dear Senator Deschambault, Representative Warren, and Honorable Members of the Joint Standing Committee on Criminal Justice and Public Safety:

My name is Whitney A. Parrish, and I live in Augusta. I am the acting executive director of the Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations (“Permanent Commission”). I am honored to write in support of LD 1721, “An Act Regarding Dignity for Women in Correctional Facilities.” We extend gratitude to Assistant House Majority Leader Representative Rachel Talbot Ross for her years of long work on this issue and for introducing this bill.

The Permanent Commission is an independent entity with a mission to work toward ending structural racism so all communities can thrive. To achieve its mission, the Permanent Commission is empowered to advise all three branches of Maine government, develop programming to support impacted communities, and construct solutions with these groups and other stakeholders. Additionally, the Permanent Commission examines racial disparities as one tool to combat structural racism and improve the quality of life of all Mainers.

We often hear that when a person is incarcerated, their entire family becomes incarcerated. One of the core Adverse Childhood Experiences (ACEs) that can create trauma and instability in a child’s life is the incarceration of a parent,¹ which we know can promote negative health outcomes later in life.² No matter how we feel about an incarcerated parent, it is critically important for both a child and parent to maintain and deepen their bond if and when possible. These are things that can help prevent recidivism, break cycles of generational incarceration, and lead to healthier, safer communities. We believe provisions within LD 1722 is a step in that direction..

¹ Gjelsvik, Annie, et al. “Adverse Childhood Events: Incarceration of Household Members and Health-Related Quality of Life in Adulthood.” *Journal of Health Care for the Poor and Underserved*, vol. 25, no. 3, 2014, pp. 1169–1182, 10.1353/hpu.2014.0112.

² Ibid.

While men still make up the majority of residents in Maine’s jails and prisons, the incarceration of women has increased dramatically and disproportionately, including here in Maine. Some of the most current data we have shows this astronomical increase: since 1980, the number of women in jail has increased 1,981%, and the number of women in prison has increased 794%.³

The overrepresentation of Black, Latino, and Indigenous people in the justice system is well documented, and overrepresentation of women of color continues to rise nationally. In 2019, the imprisonment rate for African American women in the U.S. (83 per 100,000) was over 1.7 times the rate of imprisonment for white women (48 per 100,000).⁴ Latina women were imprisoned at 1.3 times the rate of white women (63 vs. 48 per 100,000).⁵ So-called race neutral policies, at all stages of justice system contact, perpetuate the inequities and disparities we see in the lived experiences of too many women of color in our state and across the country.

A status report regarding children with an incarcerated parent or primary caregiver, establishing a truly representative board of visitors for women’s services in certain correctional facilities, ensuring representation on boards of visitors of individuals who have had contact with entities like the Office of Child and Family Services, and other provisions within this bill are critically important to supporting both children and parents who have contact with the justice system resulting in incarceration. While the Permanent Commission believes our primary goal should always be to improve conditions and social determinants of health that may contribute and lead to incarceration, we also believe we must support people right now. We cannot wait, and we cannot ignore the realities and needs of incarcerated women in a system that was built for men.

No matter who you are, where you are from, or what your life experience has been, we all deserve fair treatment and dignity. We believe LD 1722 lays important groundwork to improve conditions not only for women and children who belong to racial, Indigenous, and tribal populations, but all residents within Maine’s correctional facilities, as well as their families and loved ones.

If our goals are to reduce recidivism, keep families intact, and treat individuals with the dignity they deserve, we must move past blanket policies and laws and toward a more nuanced approach that acknowledges the specific challenges experienced by different groups of people. You have the opportunity to do that here, and we hope you vote ‘Ought To Pass’ on LD 1722 to help accomplish these goals.

³ State Incarceration Trends: Maine, Vera Institute, at 2, available at <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-maine.pdf>

⁴ The Sentencing Project. “Incarcerated Women and Girls | the Sentencing Project.” *The Sentencing Project*, 2018, www.sentencingproject.org/publications/incarcerated-women-and-girls/.

⁵ Id.

Thank you for your time and consideration of this bill. We respectfully urge you to support LD 1722. I am happy to answer any questions or provide additional information if desired; I can be reached at whitney.parrish@maine.gov.