

March 27th, 2023

Dear Senator Beebe-Center, Representative Salisbury and Members of the Criminal Justice & Public Safety Committee:

My name is Cait Vaughan, and I am a birthworker who focuses on accompanying pregnant and parenting Mainers who are low income, have significant trauma histories and substance use disorder, and who have past &/or open cases with the Maine Office of Child and Family Services (OCFS). I'm here to testify in opposition to **LD 761: *An Act to Amend the Laws Governing the Crime of Endangering the Welfare of a Child and to Create the Crime of Aggravated Endangering the Welfare of a Child.***

As a doula, I provide non-medical, trauma-responsive support and advocacy for such clients free of charge, because I view it as a practice of community care that is vital to our collective thriving. It is also a personal practice of healing from my own experiences growing up in an abusive home as the eldest of five children raised in poverty by adults with substance use issues. It is people like my clients who I fear would be targeted by this bill.

One of the greatest threats to children's safety is living in poverty. Therefore, one of the greatest investments in safety we can make is resourcing and supporting the caregivers who strive to meet their needs each day. Instead, LD 761 heaps punishment on parents in cases of tragedy, rather than preventing harm in the first place. This is a wrongheaded policy response that punishes individuals for systemic problems. Who is helped by legislation like this? Perhaps it makes the general public feel absolved of responsibility. Perhaps it satisfies a base human desire for revenge. But it does not achieve compassion, accountability, nor solutions to the very real problems families face.

As a birthworker, I have only ever encountered parents who are driven to have the healthiest pregnancies possible and care for their children. They also encounter a fair amount of judgment, discrimination and surveillance compared to their peers with economic security and consistent access to health care. I focus on low-income families because that is overwhelmingly who is caught up in child welfare systems. This disparity reflects systemic biases, and our solutions ought to focus on undoing these systemic barriers and creating pathways to health for all.

Consciously or not, this bill implies there is a subset of parents who are not punished enough by the serious injury or death of their own children. This is not something I have seen any evidence of. When a parent, knowingly or accidentally, contributes to the harm of their child, they feel deep remorse and pain. Most people are flawed, not evil or heartless. However, I **have** witnessed mothers blamed by the state for not leaving violent partners even when they had no safe way to do so. I **have** witnessed parents trying their hardest to address substance use and finding their

only options for treatment will likely mean separation from the very children who drive their desire to recover.

Adding steeper sentences to Maine's criminal code will not prevent tragedy. It will not resurrect dead children. We can do better than doubling down on punishment. The young people of this state deserve better, as do their parents, who are struggling to meet the Herculean challenges of childrearing with too few resources at hand.

I urge you to vote Ought Not To Pass on LD 761.

Sincerely,  
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