



Testimony, H. 399, House Judiciary Committee

2/10/2022

Good Afternoon, Chair Grad and members of the committee,

Thank you for allowing me this opportunity to speak before you today on House Bill 399, an act relating to incarceration terms for criminal defendants who are primary caretakers of dependent children.

My name is Joanne Nelson and I am the Director of Justice and Mentoring Programs at Mercy Connections. Located in Burlington, Mercy Connections is a community-based education and social justice organization that is committed to supporting and advancing lives of underserved and often marginalized Vermonters through education, mentoring, entrepreneurship and community. Throughout our organization, we lead with the premise that all Vermonters, regardless of their circumstances, deserve dignity, respect, compassion, and the opportunity to pursue their promise.

Mercy Connections has led the Vermont Women's Mentoring Program as a community partner of the DOC for nearly two decades. Mercy Connections' staff works inside the women's facility on a daily basis, providing individual supports as well as group sessions that encourage the women to see their value and worth, as they plan for life after incarceration.

Additionally, our organization trains, supports, and matches volunteers to serve as ongoing mentors for justice-involved women. These trained women volunteers are a lifeline for the women both in the facility, and as they rebuild their lives for themselves and their families, in community. During the pandemic, as CRCF was depopulated and women were released throughout the state, many mentors travelled to distant places to bring to their mentees food and other resources that were unavailable due to lack of services in those areas.

I am here today to speak in favor of House Bill 399, particularly as it relates to the incarceration of mothers. When mothers are incarcerated, this life-changing event significantly and negatively affects two and likely three generations of the family. Currently, there are 231,000 women locked up in the United States (Prison Policy Initiative, 2019). The number of women incarcerated has increased by over 700% since 1980, at a significantly higher rate than that of men (Ramirez, 2016). However, with women making up only 10% of the overall population of incarcerated people, their experiences are too often lost in this growing system of mass incarceration.

Of the women we work with through our mentoring program, the majority come from generational poverty, are survivors of sexual abuse and assault, live with mental illness and substance use disorders, and nearly 95% are mothers. According to one study, *Impact Maternal Incarceration on Children*, "maternal incarceration is a unique and intensifying risk factor as mothers are more likely than fathers to



be children's primary parent and more likely to be economically disadvantaged before, during and after incarceration" (Sandifer, 2017). Maternal grandparents often become primary caregivers when a mother is incarcerated.

Just this past week, I received a visit from a mother of one of our mentees who came to our center to introduce her new grandchild to us and seek resources for her and the baby. This is only one of many stories I could share about the impact of incarceration on families.

Our colleagues at Lund are experts on parental incarceration on children, and like them, we see first-hand the impact and stigma that separation from children has on mothers and their ability to successfully reintegrate into community after incarceration. The research demonstrates that reunification is not only a primary stressor and priority for women in reentry, but whether a woman is able to reunify with her children has been shown to be a predictor of success, fueling the mother's motivation or despair (Wilczak, 2017; Smoyer, Keene, Oyola, & Hampton, 2021). Separation from children is traumatic for the mother, and women who do not feel successful in the maternal role experience depression and anxiety (Baker, 2021), reinforcing feelings of shame and low self-esteem that the vast majority of justice-involved women already experience (VanHooser, 2012; Covington, 2002).

For all of these reasons, we support prevention and alternatives to incarceration whenever possible. We see this bill as a positive step forward in the movement to prevent unnecessary harm to children caused by separation from their parents and to consider and support the role of motherhood in the justice process.

Thank you, Chair Grad, and the committee, for your work serving Vermont and for this opportunity to speak in favor of this bill.

I'm happy to answer any questions.