

SB0021, Criminal Procedure - Sentencing - Primary Caretaker
Testimony in **Support**

To: Chair Smith and members of the Senate Judicial Proceedings Committee
From: Arielle Juberg, Baltimore MD 21234

My name is Arielle Juberg. I am a resident of Baltimore County in District 8. I belong to Showing Up for Racial Justice (SURJ) in Baltimore. SURJ is also working in collaboration with the Maryland Justice Project. I am testifying in **support** of SB0021, Criminal Procedure - Sentencing - Primary Caretaker.

SB0021 allows a defendant who is the primary caretaker of a child or vulnerable adult to file a motion requesting the caretaker role be considered during sentencing.

SB0021 is important to me because I believe children thrive when surrounded by a stable group of caretakers. When a parent or guardian is removed from a child's life, the instability can be traumatic. In my life, a sudden death meant I grew up without one of my parents. In my childhood, I was self-conscious about how I was different from other kids. I would lie about my parent's whereabouts rather than admit that they were deceased. I regularly feared that my living parent would die. Through my own experience, I have a small glimpse into the confusion and pain of parent/child separation. My loss couldn't be prevented, but the separation caused by incarceration can be prevented with SB0021.

Being separated from a caretaker who is in jail or prison is recognized by the CDC as an Adverse Childhood Experiences (ACEs). Children who experience ACEs are more likely to have mental health challenges, substance use, and chronic health problems. Specifically, having a parent who is incarcerated is associated with poor academic outcomes, antisocial behaviors, and school suspension and expulsion. On any given day, 90,000 Maryland children have a parent under some form of correctional supervision. Persons of color are disproportionately impacted by our criminal justice system, meaning that children of color are especially at risk of experiencing the negative effects of parental incarceration.

While the impacts of incarceration on children are daunting, *these negative experiences can be prevented*. Community-based sentencing alternatives, such as SB0021, help children and caretakers. Sentencing alternatives allow a primary caretaker to be a stable, uninterrupted presence in a child's life. Justice-involved caretakers who stay with their children experience better outcomes as well. In Washington, women who participated in the Parent Sentencing Alternative program had a recidivism rate of 8%, whereas women who were incarcerated and separated from their children had a recidivism rate of 29%.

It is for these reasons that I am encouraging you to **support** SB0021. We have a unique opportunity to protect children and prevent Adverse Childhood Experiences here in Maryland. Thank you for your time, consideration, and service.