



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 337 Criminal Procedure - Sentencing - Primary Caretaker

POSITION: Support

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The League of Women Voters is a nonpartisan organization that works to influence public policy through education and advocacy. The League supports policies that promote social and economic justice and the health and safety of all Americans, as well as to eradicate systemic racism in the justice system. The League believes in alternatives to incarceration for primary caretakers and the consideration of primary caretaker status during sentencing.

House Bill 337 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. As an alternative to incarceration, the court may instead order drug and alcohol treatment, family and individual counseling, job training, home confinement, or several other programs. This bill would apply to defendants who committed nonviolent crimes and are primarily responsible for a minor child or vulnerable adult.

Maryland's children, families, and communities are hurt when primary caretakers are incarcerated. The CDC recognizes the separation from a caretaker who is in jail as an Adverse Childhood Experience, which leads to children who are more likely to have mental health challenges, substance use, and chronic health problems. Children who have a parent who is incarcerated are likely to have poor academic outcomes, antisocial behaviors, and school suspension and expulsion. This impacts over 90,000 Maryland children who have a parent under some form of correctional supervision. People 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.

Community-based sentencing alternatives help children and caretakers and prevent these negative impacts on children by allowing a primary caretaker to be a stable, uninterrupted presence in a child's life. 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%.

The LWVMD, representing 1500+ concerned citizens throughout Maryland, strongly urges a favorable report.