



THE  
AMERICAN  
CONSERVATIVE  
UNION

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Dear Chairman Lang, Vice Chair Plummer and members of the House Criminal Justice Committee:

My name is Kaitlin Owens, and I represent the American Conservative Union (“ACU”), where I serve as a policy analyst on the Nolan Center for Justice team. Thank you for holding this important hearing. I hope my testimony is helpful to this committee in finding ways to uphold the dignity of incarcerated women, to raise the standards of safety and care in our prisons, and to address the unique challenges and needs that women face behind bars.

The American Conservative Union works to educate people about ways to reform the criminal justice system at both the state and federal levels. We support reforms based on conservative principles. We value liberty, and we strive to ensure that there is an appropriate balance of power between prosecutors and the accused. We believe that every human life has inherent value, and thus, work to improve conditions of incarceration for all. We honor human dignity and therefore try to identify policies that keep families connected so that crime doesn’t become an intergenerational cycle. We support efforts to use tax dollars more wisely. But most importantly, we work to reduce crime and recidivism while respecting individual liberty. Each of these objectives can be accomplished by taking an evidence-based approach to criminal justice policy.

Women are the fastest growing population in our justice system. In Ohio alone, 4,500 women are incarcerated.<sup>i</sup> Yet the conversation about criminal justice reform often neglects women’s experiences. There is little recognition of the challenges and threats to women’s health and welfare, as well as the impact of incarceration on minor children. Unfortunately, these challenges and struggles often continue long after they have been released.

Across the U.S. approximately 1,500 incarcerated women give birth each year; this number doesn’t account for the pregnancies unrecognized by the justice system or even the inmates themselves.<sup>ii</sup>

It’s not just the inmate that gets punished; families suffer, communities are decimated, and taxpayers are burdened. Mothers - sometimes the sole caretaker, are taken from their children, increasing the financial burden on the state.

As conservatives and, frankly, as human beings, we should care about those we put behind bars. We should be providing them with the tools to learn from their mistakes in order to reintegrate as a productive member of society once released. The truth is 95 percent of inmates will one day be released from prison.<sup>iii</sup> It’s our job to make sure that prisons and jails are well equipped to rehabilitate and correct, not solely punish.

This is not an esoteric issue. When we treat offenders as subhuman, they become more prone to criminogenic behavior, thus increasing the recidivism rate. Therefore, treating these women with dignity they deserve helps improve self-worth. This translates into fewer cases of recidivism and an improvement in public safety. Self-worth is essential to success, particularly upon re-entry, where women must navigate the challenges of acquiring housing, caring for their family, and seeking employment. To enable women to successfully re-enter society, they must be accorded dignity. Unfortunately, we as a society often treat returning citizens as unworthy of respect.

Samantha Carpenter and her child were denied their dignity when she was forced to give birth on a Butler County jail cell bed, with no doctor to protect her life or the life of her child.<sup>iv</sup> Despite her persistent pleading with the guards to bring her to the hospital, she was left alone and in labor. By the time an ambulance was called she had already given birth with only correctional officers and the jail medic to assist her. This negligence is unacceptable.

Being forced to sit in one's own bodily fluids for days, at the mercy of male guards denying access to sanitary products, is a traumatic experience. Being shackled while pregnant, and then being denied visitation with your child, is a traumatic experience. Reducing this trauma can actually increase a woman's chance of success in abstaining from criminal behavior once she is released from prison.<sup>v</sup>

The birth of a child is a special moment to be celebrated – this should be true even for women behind bars. Yet current policies humiliate and endanger incarcerated mothers and their unborn children, risking the health of American citizens and the generation to come. If we are genuinely seeking rehabilitation for these women, we must ensure they receive quality care for themselves and the innocent children they are carrying.

Pregnant women should not be shackled while giving birth. It defies logic to think a woman in labor can run from a correctional officer. Shackling only poses a serious threat to the health of the mother and her child.

Despite recommendations from the American Association of Obstetricians and Gynecologists of refraining from shackling the mother up to 30 days after childbirth<sup>vi</sup>, the widespread use of shackles during transportation to and from medical visits are still used. SB 3 prohibits the shackling of pregnant women and can make a powerful difference in protecting the life of the mother and her unborn child.

The dignity of incarcerated women is finally being recognized as a national issue of importance. President Trump recently signed the most consequential criminal justice bill in a generation. The *First Step Act* addresses some of the inhumane conditions that women are forced to face behind bars. Ohio has the opportunity to continue this hard work and protect incarcerated women.

We often look at folks on the inside as those we can't relate to. As you consider SB 3, I ask that you contemplate the inhumane circumstances these women and children go through. What if this were your mother, sister, wife, or daughter?

Each has a story of their own and a life they left behind. How we treat our prisoners says a lot about who we are as a society. We all have a part to play. Let's not forget about those women whose voices are harder to hear behind bars.

Thank you again for the opportunity to present testimony concerning the need to address the unique challenges women face while behind bars. These are very important issues not only for conservatives, but for people of all political persuasions.

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<sup>i</sup> "Ohio Profile." Prison Policy. <https://www.prisonpolicy.org/profiles/OH.html>.

<sup>ii</sup> xviii Sufirin, C. (2014). *Pregnancy and postpartum care in correctional settings*. Chicago, IL: National Commission on Correctional Health Care. Retrieved from <http://www.ncchc.org/filebin/Resources/Pregnancy-and-Postpartum-Care-2014.pdf>

<sup>iii</sup> Bureau of Justice Statistics, Office of Justice Programs, Reentry Trends in the U.S. <https://www.bjs.gov/content/reentry/reentry.cfm>

<sup>iv</sup> Richter, Ed. "Ohio inmate birth puts spotlight on pregnant women and their care." Corrections1. Last modified June 17, 2019. <https://www.corrections1.com/treatment/articles/ohio-inmate-birth-puts-spotlight-on-pregnant-women-and-their-care-qwHHgtUDupMqsRj/>.

<sup>v</sup> vi Ramirez, R. (n.d.). Reentry Considerations for Justice Involved Women. Retrieved from <https://cjincludedwomen.org/wp-content/uploads/2016/07/Reentry-Considerations-for-Justice-Involved-WomenFINAL.pdf>

<sup>vi</sup> "Health Care for Pregnant and Postpartum Incarcerated Women and Adolescent Females." *The American College of Obstetricians and Gynecologists*, The American College of Obstetricians and Gynecologists, Nov. 2011, [www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2011/11/health-care-for-pregnant-and-postpartum-incarcerated-women-and-adolescent-females](http://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2011/11/health-care-for-pregnant-and-postpartum-incarcerated-women-and-adolescent-females).