



GENDER JUSTICE STATEMENT OPPOSING PRISON EXPANSION AND EUGENICS

We, the undersigned individuals and organizations committed to justice for women and girls from across the United States, call on legislators, community members, activists and academics to join us in stopping prison expansion and the reinstitutionalization of state-sponsored eugenicist practices defining who is “fit” and “unfit” to reproduce in the United States. Accountability to communities of color and low-income communities demands your opposition to these practices and your commitment to true gender justice.

There is a dangerous new movement in the United States that threatens to radically expand the reach of imprisonment and its harms on women, girls, transgender and gender non-conforming people, and their communities. Using a theory of “gender responsiveness” purportedly aimed at improving women’s lives, this movement seeks to exploit the grave needs of people in women’s prisons and their families in order to foster public support for prison expansion. This “gender responsiveness” movement has launched itself in California with the creation of a “Gender Responsive Strategies Commission” of the state’s corrections department. The commission is pushing to expand the women’s prison system by adding a new system of mini prisons dressed as “community-based” and “alternatives to incarceration”, increasing the number of women’s prison beds in California by up to 40% in two years. Proponents of prison expansion now are exporting this “gender responsive” model across the country.

Over the last few decades, the number of people in women’s prisons has grown by almost 500%, reflecting an increase in imprisonment for “crimes of survival” resulting from poverty. Mass imprisonment has had a devastating impact on women, girls, transgender and gender non-conforming people, and families from communities of color and low-income communities, where people are disproportionately targeted for surveillance and imprisonment. State violence through medical neglect, brutality, and sexual abuse occurs regularly in prison, and the harms of imprisonment have long-term reach by ripping apart entire families and communities.

Today, the stakes of United States’ reliance on imprisonment have been raised. With its “gender responsive” prison expansion plan, California’s Gender Responsive Strategies Commission has proposed to affirmatively offer sterilization during labor and delivery as a “necessary” medical procedure.

This exact tactic of affirmatively offering the “choice” of sterilization during the pain and stress of labor was often systematically performed as an involuntary procedure by the United States government for decades. This includes the forced sterilization of over a quarter of indigenous women in the United States in the 1970s and the state campaign resulting in over a third of all Puerto Rican women of childbearing age losing their reproductive capacity between 1930 and 1970. These are but two examples of the eugenicist programs developed by the United States to control the population growth of communities it deemed unworthy—usually people of color, LGBTIQ people, and people with disabilities—the same programs which informed the eugenicist programs of Nazi Germany. These shameful historical and contemporary practices are ones we cannot afford to forget. Further, it is particularly tragic that such policy would be recommended so soon after California formally apologized for its eugenicist programs impacting 20,000 people in state hospitals in the early part of the 20th century.

It is shocking that sterilization in a coercive environment like prison would even be suggested. Sterilization is a permanent procedure with a eugenicist history; it is precisely because of this history that the federal government and the American College of Obstetricians and Gynecologists have adopted regulations prohibiting postpartum sterilizations at times of stress, undue pressure, duress, or undue influence. Sterilizing

women in state confinement without access to outside sources of healthcare or information runs afoul to these regulations.

What's worse is that it was recommended by a commission purportedly created to improve women's lives. When the state denies people in prison access to other elective, "non-necessary" medical treatment such as preventative dental care, reconstructive plastic surgery following gross injury, and special diets for people with serious medical conditions such as diabetes, while affirmatively offering "medically necessary" sterilization to women in labor, its motive is clear.

This eugenicist plan exposes the fraud behind "gender responsiveness" in the criminal legal system—policies coming from this dangerous movement have nothing to do with improving women's lives. Legislators in California and beyond should know better than to consider returning to a shameful eugenicist past wherein the government sterilized thousands of women of color, low-income women, women with disabilities, and LGBTIQ people and instead stand up for what we all know is right: communities where everyone is worth caring for.

No one who cares about women of color and low-income women, racial justice, or reproductive rights can sit by and allow the "gender responsiveness" movement to spread nationally.

What we need is a true gender justice response to the harms of imprisonment. Prison expansion—even if cloaked in rhetoric proclaiming to improve women's lives—has everything to do with the gender and reproductive oppression of women, girls, transgender and gender non-conforming people from communities of color and low-income communities.

We must radically reduce the number of people in prison, beginning with a moratorium on new prison construction and staffing. We can then redirect funds saved from prison expansion into the local services that women, girls, and transgender and gender non-conforming people need, including housing, healthcare, education, employment, and community-based responses to interpersonal violence—independent of the criminal legal system. Only then can we have true gender justice.

We call on legislators, community members, activists and academics to join us in stopping prison expansion and the reinstitutionalization of state-sponsored eugenicist practices in the United States. California's "gender responsive" prison expansion plans in Assembly Bill 76 must be stopped; its Gender Responsive Strategies Commission must be dismantled; and any state employee who fails to oppose policy or practice involving the sterilization of women in prison must be fired. All state and federal legislators must know that "gender responsive" prison expansion and eugenicist strategies are unacceptable anywhere. Accountability to women's healthcare, reproductive freedom, and racial justice demands nothing less.

Print Name

Signature

Title

Address

Organization

Email

Please Check:

- ☐ I give my permission to publish this statement including my name as an endorser.
- ☐ I give my permission to publish this statement including my organization as an endorser.
- ☐ I give my permission to submit this statement on my behalf in opposition to CA AB 76.
- ☐ I give my permission to submit this statement on behalf of my organization in opposition to CA AB 76.

For more information on stopping prison expansion and reproductive oppression in prison, contact:

Justice Now • 1322 Webster Street, Suite 210 • Oakland, CA • 94612 • 510.839.7654 •

www.justicenow.org

For more information on stopping population control and coercive reproductive practices, contact:

Committee on Women, Population, and the Environment • PO Box 55108 • Atlanta, GA • 30308 • 404.588.1006 •

www.cwpe.org