

These women were expecting to spend Mother's Day in jail, but their community had a better idea

Theresa was arrested in April 2018, and without the \$5,000 she needed to post bail, wasn't planning on leaving the holding facility in Estrella, Arizona until after her trial. **So when her best friend came to take her home the week before Mother's Day, she was speechless.**



Photo courtesy Analise Ortiz, ACLU of Arizona

But her journey is far from over. Theresa was nine months pregnant with her third child when she was arrested. And while she has not been convicted of any crime, she was held in jail for nearly two months. **Instead of being surrounded by family and friends, she gave birth in jail**, and her child was immediately taken by the Department of Child Safety.

"She's currently taking the steps she needs to take to get her baby back, but it's definitely going to be a fight," says Nicole Hale, community organizer for Living United for Change in Arizona (LUCHA). The grassroots non-profit has raised nearly \$10,000 to pay the bail of mother's who are in jail.

LUCHA is partnering with the ACLU and [Black Mama's Bailout](#), a non-profit organization that works with more than two dozen community groups nationwide to bail out women for Mother's Day. The initiative also aims to raise awareness about the country's growing mass incarceration problem - and how to fix it.

Theresa is one of [1,400 women](#) who give birth while incarcerated every year in the United States. [200,000 women](#) are currently in either in jail or prison in the US - one of the highest rates in the world - and 80% of those women are mothers. And while African Americans and Hispanics make up 32 percent of the US population, [they represent 56 percent of those who are incarcerated.](#)

“Even spending a few days in jail has a profound impact on people’s lives,” says Will Gaona, policy director for the ACLU of Arizona. “Especially for those with low incomes, they’re likely to lose their jobs, they may lose their housing, they’re in danger of losing custody of their children.”

According to Gaona, the current cash bail system is inefficient, expensive and has a disproportionately negative effect on low-income individuals and people of color. **“We’ve accepted the idea that the government can hold people in jail - who are legally presumed to be innocent - only because they’re poor.”**

What’s more, [a study](#) by the New York City Criminal Justice Agency discovered that **conviction rates skyrocketed from 50 to 92 percent for individuals who are jailed pretrial.** “When you’re in jail, you’re stuck,” says Hale, “for a lot of people who can’t afford to pay bail, they don’t really have another option other than to take a plea agreement.”

According to Hale, the Mother’s Day bail out is an opportunity to shed light on the problems with the cash bail system and inspire people to do what they can to fight against it. “If anyone in the public wants to get involved, there are three ways they can help,” says Hale. Those three ways are:

- 1) [Donate](#) to the bail fund
- 2) Refer mother’s in need of bail by texting “CHANGE” to 94502
- 3) Share information about the event with friends and family

“Every donation goes a long way,” says Hale. **“Once this case is finished, we’ll get that \$5,000 back, which turns into a larger, permanent bail fund that can benefit the whole community.”**