



P.O. Box 7716 • Silver Spring MD • 20907

In Support of HB 608/SB 682; HB 828/SB 683 & SB 684
Testimony by Maryland NOW (National Organization for Women)
February 2020

This legislation reinstates a state-run pre-release center for women only. Such a facility was shut down in 2009 by the Department of Corrections.

Advocates will testify that you should pass this legislation because it is fair: it responds to a need to support incarcerated women with services uniquely needed by women¹, in addition to the standard pre-release services provided for men. And the thousands of Maryland NOW members and supporters agree with this fairness argument. We certainly believe that women should have the same opportunities as their male counterparts for work release opportunities, counseling and other decisionmaking support, wellness education, and substance abuse help². We note that women, many of whom are or were custodial parents, need suitable facilities for bonding opportunities with their children³ and life-coaching to deal with physical and

¹ Researchers have found that although many of the factors that affect recidivism had gender-neutral effects on criminal behavior, measures such as substance abuse, prior record, education, and having children had more positive impacts on female offenders. *See, e.g.*, Matthew Makarios, Benjamin Steiner & Lawrence F. Travis III (2010) Examining the predictors of recidivism among men and women released from prison in Ohio, *CRIMINAL JUSTICE AND BEHAVIOR* at p. 4, DOI: 10.1177/0093854810382876.

² Studies have indicated that 40% of incarcerated women had used drugs at the time of the offense—a rate higher than that of male offenders, with a possible explanation provided that women abuse drugs “to cope with the pain of abuse”. *See, e.g.*, Craig Dowden & S. L. Brown (2002) The role of substance abuse factors in predicting recidivism: A meta-analysis, *PSYCHOLOGY, CRIME AND LAW*, 8, 243, at 9; Nancy J. Harm & Susan D. Phillips (2001). You can’t go home again: Women and criminal recidivism. *JOURNAL OF OFFENDER REHABILITATION*, 32, 3–21, cited in Beth M. Huebner, Christina DeJong & Jennifer Cobbina (2010) Women Coming Home: Long-Term Patterns of Recidivism, *JUSTICE QUARTERLY*, 27:2, 225, at 228 (studying female recidivism in 15 states) (finding that “women face unique challenges while under correctional supervision”), DOI: 10.1080/07418820902870486.

³ A majority of women prisoners have children, with estimates of those women living with their children immediately prior to incarceration ranging from 64% to 81%. Female inmates are almost twice as likely as male inmates to report that they had a child of their own living with them prior to their arrest, and significantly less likely to report that their children are living with the other parent during their incarceration. Susan Sharp & Emily Pain (2010) Oklahoma Commission on Children and Youth: Study of Incarcerated Women and Their Children, p.2; see also, Huebner et al, at 237.



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sexual abuse⁴ and dependency issues for successful integration into their home communities.

Additionally, we believe that Maryland will be economically stronger if its pre-release incarcerated women are enabled to participate in work release – currently not provided to women, teaching them principles of dependability and structure, the financial and intrinsic rewards of hard work, and the joy of being able to provide for their children through activities where the women’s time and training are valued.⁵

Moreover, it will be less expensive to maintain quality pre-release programs in a free-standing facility, which requires fewer guards and management services than to the same number of women in prisons, which house dangerous offenders in their populations. Women who participate in work release programs and who can interact in a constructive setting with their children learn to integrate into society in a positive, productive manner. They are less at risk of recidivism, so less likely to incur substantial additional state expenditures for incarceration, policing, etc.⁶

A recent visit to the small Montgomery County-funded pre-release facility in Rockville was illustrative of best practices. While it has only a separate wing for women – with separate key entry system, so reduced risk of inappropriate interactions with guards or male residents, it is apparent that the unimposing structure must be less frightening than any state prison compound to children and other relatives of its residents, encouraging more frequent visits and easier integration with their support systems and their home communities.⁷

A 2015 report on multi-jurisdictional recidivism by women indicates that 58% of incarcerated women are rearrested, 38% are reconvicted, and 30% are returned to prison in the three years following release from prison.⁸ Fortunately, numerous reports document decreased costly recidivism when women are afforded appropriate support, different from their male counterparts.

In light of tight state budgets, it makes sense for Maryland to provide facilities and services for its pre-release incarcerated women which will enable job skills

⁴ Huebner et al., at 227.

⁵ See, e.g., Makarios et al., at 9.

⁶ Huebner, et al., at 245-47.

⁷ Several studies indicate positive effects of children and families on incarcerated women, including prevention of recidivism. Interviews of incarcerated women indicated that their children were “an important incentive to desist from crime”, Sandra Enos (2001), State University of New York Press, *MOTHERING FROM THE INSIDE: PARENTING IN A WOMEN’S PRISON*, at 3.

⁸ Huebner et al., at 226.



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development and the capacity to be a positive member of society. Thus, a separate pre-release facility would enable the women to contribute to our state's economic development instead of being at a high risk of recidivism, requiring repeated costs for policing and correctional facilities for subsequent offenses.

For the above reasons, as well as others cited by the various supporting organizations and individuals, we urge the support of the Committee for these bills.

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