

MarianHouse_FAV_SB 684

Uploaded by: ALSTON, KATE

Position: FAV



TESTIMONY IN SUPPORT OF SB684
Correctional Services- Prerelease Unit for Women
Gender-Responsive Prerelease Act

TO: Chairman Senator Smith, Vice-Chair Senator Waldstreicher, and members of the Judicial Committee

FROM: Katie Allston, Executive Director

DATE: February 25, 2020

Marian House was founded over 37 years ago by my Sisters and laywomen in response to the dire circumstances women faced as they transitioned out of incarceration. These founding women established Marian House as a women-only, safe, stable, and supportive environment for women to go after incarceration, help reduce recidivism rates, and help women achieve their goals and overcome the specific barriers they face.

At Marian House, we serve a complex, high-need population that have experienced many forms of trauma, including incarceration, substance use, violence, homelessness, poverty, abuse, neglect, and more. Effective aftercare and trauma treatment plays a vital role in breaking the cycles of trauma. Marian House aims to continually provide holistic care that treats the whole person, taking into account, their specified, varied needs and past trauma they have experienced. We've seen first-hand that trauma-informed care allows our staff to understand an individual's behaviors and respond appropriately in compassion, recognizing the innate human dignity within each person.

Treatment and services for women is regularly shown to be ineffective unless it acknowledges and addresses the realities of women's lives, which includes a high prevalence of violence and other types of trauma. A separate pre-release unit that focuses on the gender-specific needs of women who have experienced trauma aligns with nationally and internationally renowned best practices across professional fields of helping professions (i.e. medicine, nursing, psychology, social work, and more). It is how we will best serve incarcerated women and ensure that they are not further punished, but rather, supported as they transition back into the community. On behalf of the women we serve at Marian House, I respectfully urge you to take the call to action in **SUPPORT of SB684**.

Thank you for your support,

Katie Allston, LCSW-C
Executive Director

Monica Cooper_FAV_SB684

Uploaded by: COOPER, MONICA

Position: FAV



TESTIMONY IN SUPPORT OF SB682, SB683, & SB684

To: Chairman William Smith and Members of the Senate Judicial Proceedings Committee

From: Monica Cooper Maryland Justice Project, Founder

Date: 2/26/2020

Dear Chairman and members of the committee

The Maryland Justice Project would like to ask for your support in creating equitable, gender-responsive pre-release services for women in Maryland. Our organization work with Women and Girls Incarcerated and Formerly Incarcerated, in fact many of us are directly impacted and once found ourselves on the opposite end of this issue awaiting re-classification and transfer to the Baltimore Pre-release Unit for Woman located at 301 Calverton road. As a former resident at MCIW I can recall how as we approached our classification date to Pre-release status we would hear stories about BPRU-W, stories of week-end visit with your children and family, we would hear stories about the many training programs that was offered as we contemplated our career goals and what types of training would lead us to that path. I can recall the stories about how you could just walk into the Doctors office without having to wait weeks or months to be seen, which I found fascinating and welcoming. Speaking from my experience being incarcerated and having basic every day freedoms taking from me causes one to think about all the things you would do if you only had a second chance. Things like taking better care of yourself, getting a good full-time job, finally going to college to pursue your dream career, opening your own business. For most of us Women exiting MCIW and returning home these were the things we looked forward to at the Pre-release Unit. Now that the Pre-release Unit has been shut down and moved inside of a maximum-security facility. The overwhelming number of women eligible for Pre-release status, which last we checked was around 260 most of which are refusing to participate in the pre-release program because the institution offers absolutely nothing especially in comparison to what it used to offer when it was at 301 Calverton road. The women refuse to pay MCIW \$1,000 dollars a month to be dropped off in front of a fast food

restaurant in a prison van. The women are refusing to participate in a program that does not encourage family reunification not being able to get weekend passes. One of the greatest tools of behavioral modification inside the penal system is the classification instrument. Inmates are fully aware of the importance of not getting into trouble getting a G.E.D getting involved in therapeutic classes and other things that will assist them in getting out of prison. Again, from my personal experience, I stayed out of trouble participated in self-help groups therapeutic groups workshops with the intention of making parole, and reaching my last 24 months with an outstanding record so I could be transferred to the PRE-RELEASE UNIT FOR WOMEN. My experience was almost 12 years ago. Currently MCIW don't even have a social worker to ensure the women have their social security cards and identification before they exit. There have been at least 3 suicides in the last few years. In recent months a 19-year-old resident who was screaming out for mental health attention manage to set her cell on fire injuring herself and a few correctional officers. These incidents are a clear sign that the women are not getting the help they need, and it is an even bigger sign that when women leave that so called pre-release program they are most definitely not equipped or prepared to cope with the road ahead of them. I urge you to put your support behind this bill and all efforts to ensure women are given the tools they need to return home and be better mothers and daughters.

Thank you,
Monica Cooper, Executive Director
Maryland Justice Project

ACY_fav_SB 684

Uploaded by: DEVAUGHN, ASHLEY

Position: FAV



To: Committee Chair, Judiciary Committee
From: Ashley Devaughn, Youth Justice Policy Director
Re: SB 682, SB 683, SB 684, Correctional Services - Prerelease Unit for Women
Date: February 26, 2020
Position: Support

Thank you for the opportunity to provide testimony on SB 682, SB 683, SB 684, Correctional Services - Prerelease Unit for Women. Advocates for Children and Youth (ACY) SUPPORTS this bill.

We urge this committee to issue a favorable report on these bills.

As this Nations prison population has grown, the population of children with an incarcerated parent has grown as well. This leads us to ask who is incarcerated and how many of those incarcerated are parents?

Ten years ago, the Pew Charitable Trust report stated that more than 1.1 million men and 120,000 women in U.S. jails and prisons have children under the age of 17 and 2.7 million children nationwide have one or both parents behind bars. This is especially dire for Black and Brown children due to the overrepresentation of the population in the Criminal Justice and prison systems. Although all races commit crime at roughly the same rates, African American and Latinx populations are incarcerated at much higher rates than their white counterparts, and therefore are at particularly high risk of becoming or having incarcerated parents. The Color of Justice: Racial and Ethnic Disparity in State Prisons states that African Americans are incarcerated in state prisons across the country at more than five times the rate of whites, and at least ten times the rate in five states. The Bureau of Justice Statistics reports that 35% of state prisoners are white, 38% are black, and 21% are Hispanic and indicates Maryland, whose prison population is 72% African American, tops the nation.

The Hidden Consequences: The Impact of Incarceration on Dependent Children defines the term parental incarceration to refer to any kind of custodial confinement of a parent by the criminal justice system, except being held overnight in police cells. Incarceration can refer to confinement in jails or prisons. The gender of the parent is a major factor in patterns of incarceration; fathers account for 90% of incarcerated parents. However, the number of mothers in prison grew at a faster rate than the number of incarcerated fathers across the decade 1991-2000. There was an 87% increase for mothers, but only a 61% increase for fathers indicated by From Prison to Home: The Effect of Incarceration and Reentry on Children, Families, and study. The study goes on to share the age of children at the time of the parent's incarceration. Roughly 60% of children with incarcerated parents are under 10 years of age, with 8 years being the mean age.

To fully understand the impact of parental incarceration, it is important to consider the nature of the family living arrangements prior to incarceration. Many children live with non-parental caregivers prior to the incarceration of their mother or father. In fact, only half of the inmate parents in either state or federal prison lived with their children at the time of admission to prison. Gender differences are again evident. Specifically, mothers in either state (64%) or federal (84%) prisons were living with their children at the time of admission to prison. In contrast, only half of the fathers were living with their children at the time of their incarceration (44% for state and 55% for federal prison). Unfortunately, the prior living arrangements is not generally considered in assessments of the impact of incarceration or children, but it would be expected that incarceration would carry different meanings and have different consequences for children who do or do not reside with their parents

before incarceration.

So who looks after the children when parents are incarcerated. Again the answer varies with the gender of the parent. For incarcerated fathers, the child's mother is the usual caregiver before the father is arrested, and in the case of both state and federal incarceration, 90% of the time, mothers assume the caregiving responsibility after the father goes to prison. On the other hand, when mothers are put in prison, fathers assume responsibility only 28% - 31% of the time. Instead, most commonly, the grandparent becomes the caregiver (53% of the time for state incarcerations and 45% of federal). Reports show that incarceration of men with children contributes to higher rates of homelessness primarily among African American children in particular by removing financial contribution or finances used for the care of the children, places additional strains on mothers, and may compound family trauma. However, when a mother is incarcerated, her children often end up in foster care, separated from their family.

There is a clear overlap between the prison system and child welfare system. Further, Child Welfare and Juvenile Justice - Two Sides of the Same Coin brief explores the Child Welfare system and the intersection of juvenile incarceration. There is particular concern that a parent's imprisonment will lead to a cycle of intergenerational criminal behavior. One statistic indicates that children of incarcerated parents are, on average, six times more likely to become incarcerated themselves. While another study named Criminal Justice Involvement, Drug Use, and Depression Among African American Children of Incarcerated Parents found that children of incarcerated mothers had much higher rates of incarceration — and even earlier and more frequent arrests — than children of incarcerated fathers.

There is growing recognition of and effort toward diminishing this problem—Sesame Street's Little Children, Big Challenges: Incarceration initiative is a prime example. With increased opportunities for children to maintain relationships with an incarcerated parent and through better support for these parents—and other types of caregivers in the community—children and their families can be better protected and tap into their own resiliency against the effects of incarceration.

We urge this committee to issue a favorable report on SB 682, SB 683, and SB 684.

JUFJ_Toby Ditz_FAV_SB684

Uploaded by: DITZ, TOBY

Position: FAV

February 26, 2020

Toby Ditz
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TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Toby Ditz

I am Toby Ditz, and I live in Baltimore City in District 40. This testimony is in support of SB684.

The proposition that there should be a women's pre-release facility with transition programs designed for women should not be controversial. Gender equity is at stake. I was on a tour of the Maryland Correctional Institution for Women (MCIW) two years ago and was very surprised to learn that so few resources were devoted to women's transition programs compared to men's. As a university teacher who worked for years to try to advance gender equity at my workplace, I had assumed, perhaps naively, that equitable treatment of men and women in the state prison system would at least be the working principle. Yet men's pre-release programs receive the lion's share of resources, while women are neglected. That men have multiple freestanding pre-release facilities, and women do not have even one is a stark example. It is unsafe, and it is just wrong.

People who know the prison system in Maryland better than I do say that men are advantaged partly because of economies of scale. Because there are so many more incarcerated men than women, a new program for men stretches a dollar further than a comparable program for women. From the vantage point of budgeting, it is an understandable temptation to focus on men. But, again, it is unjust and the expense of women's recidivism when we inadequately prepare them to transition back into society must also be considered.

Cutting corners on the needs of women in transition is also upside down from the perspective of family policy. Over the last several decades two-parent households have declined sharply in all ethnic and racial groups, and women are still primarily responsible for the daily care of children. This is especially true among lower income families. As a result, incarcerated women are providers and caregivers for children at three times the rate of incarcerated men. When mothers and grandmothers are in prison, the effects on the family are immediate and often devastating, as when children are placed in foster care.

One size cannot fit all when it comes to pre-release transition programs and facilities. Women need programs designed for them, not programs that were originally set up for men. Women need programs that will help them care for children who have been traumatized by their

absence. Housing programs are especially important because women with children may face greater obstacles to getting suitable housing than men without resident children. And for some women, successful reentry will depend on learning how to avoid domestic abuse situations. Transition policies must be gender sensitive.

A pre-release unit for women that offers programming tailored to women's needs is in accord with the principle of gender justice, and it will enhance the well-being of families and children. **I respectfully urge a favorable report on SB684.**

Nicole Hanson_FAV_SB684

Uploaded by: HANSON, NICOLE

Position: FAV



TESTIMONY IN SUPPORT OF SB682/683/684

Correctional Services - Pre-release Unit for Women and Gender Responsive Services

To: Chairman Will Smith and Members of the Senate Judicial Proceedings Committee members

From: Nicole Hanson-Mundell, Out For Justice, Inc.

Date: 2/26/2020

Greetings Chair and committee members, and thank you for the opportunity to write in strong support of Senate Bill. My name is Nicole Hanson-Mundell and I am the Executive Director of Out For Justice, a returning citizen and member-led nonprofit organization. Our mission is to engage, educate, and empower individuals with criminal records in Maryland to create structural change through legislation, policy reform, and advocacy.

I'm here today to talk about why women's pre-release is so critical in Maryland. When someone is leaving the system, they have a lot of challenges that must be attended to immediately: getting access to housing, getting a job or other forms of support, lining up healthcare, and the like. But more than these tangible hurdles are the intangible ones. Women being released are incredibly vulnerable--they have not had practice, in many cases years or decades, in taking care of themselves. It is daunting to be asked to do that, immediately and on your own, upon release. It can produce a lot of anxiety and leave them feeling hopeless and incapacitated.

I can speak from personal experience about how difficult it can be to transition back into society. Several years ago, I myself was incarcerated for nine months after making a mistake to provide financially for my family. I spent nine months with the women at the Baltimore County Detention Center. Most of the women I got to know were good people who wanted more than anything to simply get back to their families and rebuild their lives. But even being away for 9 months was a challenge; coming back from prison or jail is not easy. I did not have a pre-release plan, and this was a hurdle. It meant that when I came home, I didn't have the tools to communicate with my family in order to repair the relationships that had been broken while I was away. I did not know how to talk to my children about being gone or how to manage the new dynamics of my relationship with my husband, who felt he had been abandoned. At a practical level, I also struggled to figure out the next steps for myself. I was interested in finishing my college degree, but didn't know whether that was possible, and how I would support myself in that time should I pursue that path. I was fortunate because I already had a housing plan--many women are not so lucky. All I had to figure out was how I was going to contribute to that housing--I



wasn't sure if, in the time I was gone, my husband had gotten backed up on the bills that he had to handle, alone, while I was gone.

For many women, these obstacles are daunting, but what makes it insurmountable is the inability to know where or how to begin. It's not just the challenges themselves, but many people are in an uncertain place emotionally when they leave prison. If someone enters with a drug problem, for example, the trigger of release without a plan can cause immense anxiety, potentially leading to relapse. It is not uncommon, upon release, not to know whether to go left, right, or straight--literally. Some people walk out of prison disoriented in more ways than one, without so much as a sense of which literal direction they will head.

A pre-lease plan is critical in easing this transition. What is pre-release, and how does it work? Typically, when an incarcerated person has 18 month of time left in their sentence, and if they have an exceptional behavior record, they can be classified to pre-release status. If you have pre-release status, you can access a pre-release center. These centers allow you to connect with community-based resources to help you transition to your release. In this time, people start accessing health services, holistic drug treatment outside of the Department of Corrections, navigate the public transit system, find a job, and look into permanent, post-release housing. Having a handle on these tangible aspects of post-release can meaningfully ease people's anxieties about their return.

While pre-lease is critical for reducing recidivism and ensuring post-return success, unfortunately, the current prerelease programming available for women in Maryland is insufficient.

- There is not a separate, pre-release center that all women in Maryland can access. Right now, the only facility is in Montgomery County, and it is only available for women whose residency will be in Montgomery County upon their return.
- Should the legislature establish pre-release centers, we need to ensure that they are run in a way that enables success. This means:
 - These centers should be single-gender.
 - They should have enough beds to provide for all women eligible for pre-release.
 - They need to provide access to adequate services.
 - This means that vocational training should be improved. Currently, the available jobs are limited mostly to fast food restaurants and truck stops. A pre-release unit in the Baltimore region or where the most women are returning would give women the opportunity to seek employment in a field that interests them, providing much more valuable work experience and easing their transition.



OUT FOR JUSTICE

- Mental health services should be adequate, to provide women with the emotional support they need to successfully transition. This means having dedicated staff available to women at these centers.

Promoting successful reentry is good for women, but it is also good for the state, as it will lower recidivism rates, save money, and lead to safer and healthier communities. I want to make one final point. When women do not have the support they need to return, the impact trickles down to their families. Over two-thirds of women incarcerated in Maryland are mothers, the majority of whom are locked up for non-violent offenses. Successful pre-release would allow mothers to focus their energy where it should be focused: their children and families. Please vote in favor of SB682/683/684. Thank you.

Respectfully Submitted,
Nicole Hanson-Mundell

House of Ruth_FAV_SB 684

Uploaded by: hrmmd, house of ruth

Position: FAV



Marjorie Cook Foundation
Domestic Violence Legal Clinic

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TESTIMONY IN SUPPORT OF SENATE BILL 684

February 26, 2020

DOROTHY J. LENNIG, LEGAL CLINIC DIRECTOR

The House of Ruth Maryland is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. Senate Bill 684 would require the Commissioner of the Division of Correction to provide a comprehensive rehabilitative prerelease facility for female inmates that matches their security level on a validated gender-responsive risk measure. **We urge the Senate Judicial Proceedings Committee to issue a favorable report on SB 684.**

Under current law, the Department of Public Safety and Correctional Services (DPSCS) may operate a prerelease unit for women. Until FY 2017, DPSCS operated a stand-alone prerelease unit for women in Baltimore City; however, the facility is now closed. Since the closure of the facility, all prerelease programming for women has been transferred to the Maryland Correctional Institution-Women in Jessup, where the women are housed throughout the prison. As a result of being housed in a correctional institution, women on prerelease cannot avail themselves of certain opportunities, including work release, making plans for successful re-entry, and reconnecting with family and community resources. These opportunities are currently available to men on prerelease, as the men's prerelease unit is a stand-alone facility.

Senate Bill 684 would require the Commissioner of the Division of Correction to provide a comprehensive rehabilitative prerelease facility for female inmates that matches their security level on a validated gender-responsive risk measure. If we want incarcerated women to thrive in society after they are released, the State needs to prepare them to reintegrate into the community before they are released. Providing incarcerated women with support to find jobs, housing, drug treatment, and mental health services will reduce their chances of recidivism.

In an effort to provide incarcerated women with evidence-based and innovative programs and practices, **the House of Ruth urges a favorable report on Senate Bill 684.**

UMBC_DrBronwynHunter_FAV_SB684

Uploaded by: HUNTER, BROWNYN

Position: FAV

Senate Judicial Proceedings Committee
Bill #: SB0684
Gender Responsive Prerelease Act
Bronwyn A. Hunter, PhD
University of Maryland, Baltimore County
February 26, 2020
SUPPORT

Dear Judicial Proceedings Committee Chair and Committee Members,

I am writing in support of Bill # SB0684: "Gender Responsive Prerelease Act," which requires that the Commissioner of Corrections create a prerelease center and provide evidence-based, gender responsive services in the community specifically for women. These gender-responsive and trauma-informed services will assist in women's transition from incarceration to the community.

I am a faculty member in the Department of Psychology at the University of Maryland Baltimore County (UMBC). My research focuses on promoting health and well-being among individuals who have been impacted by the criminal legal system, with a specific focus on women. I have experience working in prisons and jails in several jurisdictions, including in a gender-responsive jail based program in Cook County Jail in Chicago, IL. I am also the president of the Association for Justice-involved Females and Organizations (AJFO), which is a national association that co-hosts a bi-annual conference focused on promoting gender-responsive practices and policies for women and girls in the criminal legal system. Our most recent conference was in December of 2019 and was co-hosted by the Alabama Department of Corrections and Georgia Department of Corrections. Given my work with women and girls in the criminal legal system, and the need for gender-responsive and trauma-informed services specifically for women in Maryland, I am in **full support** of SB0684 for the following reasons.

Women's pathways into the criminal legal system are marked by extensive histories of violence and poverty. This violence includes, but is not limited to, childhood abuse/neglect, sexual assault, and interpersonal and domestic violence. Their trauma and victimization histories are compounded by poor interpersonal relationships, parenthood demands, substance use, and mental and physical health challenges. As a result, most incarcerated women suffer from mental health and substance use disorders at a higher rate than men. Further, women's extensive trauma histories disrupt their capacity to develop and nurture meaningful and reciprocal relationships with others, which impedes their reentry process.

Gender-responsive services were developed based on women's specific pathways into the criminal legal system. ***Gender-responsive services recognize that women have needs that are unique to their history and that differ from those of men.*** In practice, gender-responsive principles:

- Acknowledge that gender makes a difference
- Create environments for women that are based on ***safety, respect, and dignity***
- Develop and implement practices that are ***responsive to women's needs and:***
 - Emphasize the importance of communication and relationships in women's lives and model/teach relational skills;
 - Use a strengths-based approach, which recognizes the assets and capacities that women have rather than focusing on deficits;
 - Recognize and are sensitive to culture;

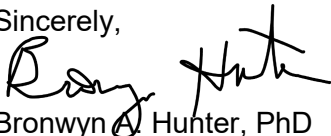
- Are holistic and provide opportunities and resources that span beyond what is traditional, such as education and employment supports;
- Emphasize the importance of self-care.

Importantly, **gender-responsive practice and policy focuses on changing the environment in a way that allows women to recognize that they have value in society and are worth it.** Thus, traditional prison spaces are not appropriate for gender-responsive care. Facilities must be re-envisioned to demonstrate to women that they can be housed in safe, respectful, and dignifying spaces – even when they are incarcerated. The Gender Responsive Prerelease Act calls for the creation of a prerelease center, coupled with gender-responsive services. To best assist women in transitioning out of the criminal legal system, we must invest in these services to promote women’s well-being, relationships with others, and ultimately, their families and communities.

Facilities that provide gender-responsive services have benefits that span beyond incarcerated women. Research has shown that gender-responsive policies and practices make facilities safer, decrease staff turnover and misconduct, and reduce staff stress. **The effects of gender-responsive services can be felt throughout institutions, and ultimately strengthen the goals of these facilities.**

Ensuring that women are provided with gender-responsive services has the potential to improve women’s lives, strengthen their families, and enhance the overall community, while reducing long-term costs of incarceration. It also has the capacity to make the correctional environment safer and more consistent in practice and policy. It is for these reasons that I am in full support of #SB0684: “Gender Responsive Prerelease Act.”

Sincerely,



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ACLU_FAV_SB 684

Uploaded by: JOTF, DEREELL

Position: FAV



**Testimony for the Senate Judicial Proceedings Committee
February 26, 2020**

**SB 682 – Correctional Services – Prerelease Unit for Women –
Requirement to Operate**

**SB 683 – Corrections – Women’s Prerelease Unit – Requirements
(Women’s Prerelease Equity Act)**

**SB 684 – Correctional Services – Prerelease Unit for Women –
Facilities and Services
(Gender-Responsive Prerelease Act)**

FAVORABLE

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The ACLU of Maryland supports SB 682, SB 683, and SB 684. Together these bills would:

- Require the Commissioner of Corrections to operate a prerelease unit for women;
- Clarify the definition of a “prerelease unit for women,” and locate a prerelease unit in communities where women are most likely to return; and
- Provide women with evidence-based, gender-responsive services in the areas of jobs, training, education, treatment, family reunification, and other needs, and connect them with community-based service providers.

These bills are about gender equity, racial justice, and equal protection under the law.

Requirement to Operate a Women’s Prerelease Unit

The number of women entangled in the criminal justice system has grown substantially over the past few decades. Although Maryland has several lower-security prerelease units across the state that are designated for men, there are no similar facilities for women. Women only have access to prerelease services from the confines of MCI-Jessup, a maximum-security facility. Reentry services are already inadequate, but even more egregious for women in light of services available to men.

The Equal Protection Clause makes any gender-based classifications inherently suspect. When the government denies women a benefit that it

makes available to men, there must be an “exceedingly persuasive justification for that action.”¹ The State’s decision to deny women access to pre-release beds does not meet intermediate scrutiny, because it does not serve an important government interest through substantially related means.

The Maryland Court of Appeals has also held that the Maryland Equal Rights Amendment “flatly prohibits gender-based classifications, either under legislative enactments, government policies, or by application of common law rules, in the allocation of benefits, burdens, rights and responsibilities as between men and women.”²

Furthermore, the Court does not recognize an exception based on administrative or fiscal convenient.³ Other courts that have addressed the question of parity for male and female inmates acknowledged the fiscal reality of providing a wider range of services for a smaller number of individuals at a greater cost. Nevertheless, “such seemingly practical considerations may not be used to ‘justify official inaction or legislative unwillingness to operate a prison system in a constitutional manner.’”⁴

Recognizing the disparity in Maryland, the General Assembly passed legislation last session requiring the Commissioner of Corrections to study and report on gender-based equity in prerelease programming and facilities. The report has been released, and so it is now time to close the gap on this gender-based inequality.

Definition of Women’s Prerelease Units

Everyone exiting the prison system must be given the best chance to succeed in reentry. While women exiting the prison system face many of the same barriers as men – including housing, jobs, education, and treatment – women have unique needs as well. For instance, women are often primary or sole caretakers of children. On average, they serve shorter sentences, and are more likely to be incarcerated for low-level, non-violent offenses. For women to succeed, they must have access to prerelease services that are tailored specifically to their reentry needs.

¹ *U.S. v. Virginia*, 518 U.S. 515, 531 (1996).

² *Burning Tree Country Club v. Bainum*, 305 Md. 53, 64-65 (1985).

³ *See Ehrlich v. Perez*, 394 Md. 691 (2006).

⁴ *Glover v. Johnson*, 478 F.Supp. 1075, 1078-79 (E.D. Mich. 1979) (quoting *Gates v. Collier*, 501 F.2d 1291, 1319-20 (5th Cir. 1974)).



Location of Women's Prerelease Units

Accessing prerelease services from a maximum-security facility is counterintuitive to the goals of helping women adjust to new lives on the outside. For women who have survived intimate partner violence or gender-based violence, accessing these services in a coed facility may be re-traumatizing, and make further success less likely.

Women deserve to have a separate low-security level pre-release unit, located near their home communities, that would provide them with a safe place to prepare for reentry. Having equitable access to job opportunities and community-based resources, and beginning to reunite with families, friends, and support systems, would make the difficult transition easier, and present them with the best opportunity for successful reentry.

Evidence-Based, Gender-Responsive Services

Maryland's prison system has traditionally willfully neglected the individualized needs of women in its care. By requiring these services to be gender-responsive, evidence-based best practices, these bills will ensure that women are best situated to thrive when they return to their families and communities.

We therefore urge the Committee to work with the Department of Public Safety and Correctional Services to identify and reallocate the funding needed to provide equity for women upon reentry. It is the right thing to do for Maryland's women, families, and communities, who all deserve better.

For the foregoing reasons, we urge a favorable report on SB 682, SB 683, and SB 684.

Derrell Fraiser_FAV_SB684

Uploaded by: JOTF, DEREELL

Position: FAV

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 684:

Gender Response Prerelease Act

TO: Chairman William C. Smith, and Members of the Judicial Proceedings Committee

FROM: Derrell Frazier, Policy Advocate

DATE: February 26, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates for policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. JOTF supports Senate Bill 684 as a means to ensure that women are provided with the skills and training needed to ensure their employability upon release.

Today, the country is led by women. In Maryland, there are 306,411 households led by women, and women are 49 percent of Maryland's workforce¹. To dive further into these statistics, 29.1 percent of single women-led households live in poverty versus 7.9 percent of all Maryland families. This shows that while women are a major part of the state's workforce, employment opportunities for women are scarce. Access to proper child care, education, transportation, are all barriers that women face, and these factors are further concentrated on women who also have criminal records

Data shows that 44 percent of women who are returning from incarceration are heads of household. This percentage is higher, 66 percent, for Black women. Simply put, these women are in need of employment to reduce recidivism and to maintain their families. Their criminal record creates a barrier, but lack of access to the valuable skills taught in pre-release puts them at a further disadvantage.

Senate Bill 684 seeks to require the Commissioner of the Division of Correction to provide a comprehensive rehabilitative prerelease facility for female inmates. Also, the Commissioner must provide evidence-based and gender-responsive prerelease services for certain female inmates. Establishing the opportunity to strengthen family and community relationships through extended family leave, parenting workshops, family reunification assistance, and transportation for children and family members to visit female inmates before release.

JOTF strongly supports any legislation that encourages a restructuring of the criminal justice system to ensure that all Marylanders are capable of successfully re-entering their communities and gain employment. For those reasons, we urge a favorable report on Senate Bill 684.

¹https://dhr.maryland.gov/documents/Initiatives/Maryland%20Womens%20Commission/Resources/Who%20We%20Represent_Final.pdf

JUFJ_Anita Lampel_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Anita Lampel
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TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Anita Lampel

My name is Anita Lampel. I live in District 16 and I am submitting testimony in favor of Senate Bill 684.

I have a PhD in psychology and worked for over 20 years as an independent assessor in the juvenile and adult court system. Claudia was one of many parents whose ability to care for her child concerned the Court. As a forensic psychologist, I was responsible for assessing whether Claudia should have custody of her four-year old daughter when Claudia was released from prison. But the little girl's bond with her mother had been damaged because Claudia was at a site too far away for visits. When Claudia left prison, she tried to establish herself with a job. Then she chose the wrong relationship — a man with a bad temper, just like her father had. So Claudia failed to gain the single most important goal...her daughter.

This tragedy could have been avoided if Claudia had been in a pre-release facility close to her daughter so contact was maintained. It could have been avoided if Claudia had received the critical, gender-responsive counseling and guidance she needed to avoid bad choices in relationships.

Help women like Claudia by placing them in a pre-release facility near their families. For the majority of incarcerated women, this is near Baltimore. Help them by ensuring counseling to understand the trauma they suffered and how to avoid duplicating that trauma again in their lives. Do not expose them to conflict situations by putting them around either high risk incarcerated women or around incarcerated men. Please don't set them up to leave prison but fail in establishing their lives.

Thank you for your attention. **I respectfully urge a favorable report on SB684.**

JUFJ_Carol Stern_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Carol Stern
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Chevy Chase, MD 20815
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THINK JEWISHLY. ACT LOCALLY.

TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Carol Stern on behalf of Jews United for Justice

I am testifying in favor of SB684 on behalf of Jews United for Justice (JUFJ). JUFJ organizes 5,000 Jewish Marylanders and allies in support of local campaigns for social, racial, and economic justice.

In Genesis Chapter I, we learn that humans are created in God's image - *B'tselem Elohim*. We all contain the divine spark, and we all deserve to be treated with respect and dignity. This applies to all people, whether they have been incarcerated or not.

It is hard for me to imagine why the State of Maryland doesn't have a dedicated women's pre-release facility. Women who are being released from prison need a transition program that helps bridge the gap between life in the correctional facility and returning to independent living in their community. While the Corrections Department operates several pre-release facilities for men, women are not accorded the same equitable resources to assist them in transitioning home, even though they represent a growing percentage of the state's total prison population. As a matter of equity, women should, at a bare minimum, also be provided with a pre-release facility to help them to transition home. However, to ensure a successful transition home, women need the types of services that this bill would provide - access to job training, employment, community resources, and reentry planning assistance within a less restrictive and safe environment. This bill would also provide much needed gender-responsive and trauma-informed services as well as medical, mental health, and substance use disorder treatment.

It is critical that we address the disparity between resources for men and women in Maryland's prison system by requiring the Commissioner of Corrections to operate a comprehensive, rehabilitative women's pre-release facility, which will treat women in Maryland's correctional facilities with the supportive services required in this bill and the respect that all people deserve.

On behalf of JUFJ, I respectfully urge a favorable report on SB684.

JUFJ_Emily Blank_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Emily Blank
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TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Emily Blank

Do justice, love mercy, and walk humbly with your G-d. - Micah 6:8

My name is Emily Blank, and I am a resident of District 47A. I am testifying in favor of SB684, asking you to support the creation of one or more pre-release facilities specifically for women and to provide them with comprehensive, gender-responsive, rehabilitative pre-release services.

Although I am a MD resident, I teach Economics of Black Community Development and other economics courses at Howard University. I have also had training in teaching incarcerated people. Imagine that you were previously incarcerated but have paid your debt to society. You may be estranged from your family members. You may have children in foster care or farmed out to relatives. If you were convicted of a felony, you may find it nearly impossible to find a job or a place to live.

If you are male, you may (near the end of your sentence) have been housed in a pre-release facility. Individuals on pre-release status can participate in work-release, meaning they can start working in jobs that are based outside the facility. With a separate facility, folks can access community resources, comprehensive reentry planning assistance, and reconnect with their family and loved ones in a less restrictive and safe environment. There are no such facilities for women.

There are currently over 150 women with pre-release or minimum security status that are housed at Maryland Correctional Institute for Women (MCIW). These women consistently express fear for their safety, as they are co-housed with women on maximum security status who may assault them to deter their exit. The inmate assault rate at MCIW is 1 in 16, as opposed to 1 in 25 at the men's separate pre-release facilities.

Women need a separate facility with gender-responsive, trauma-informed services and comprehensive reentry planning to address needs they may have around family reunification, housing, jobs, childcare, and mental health and substance abuse treatment - all necessary for successful reintegration. Women, in particular, are in need of significant assistance since they

still have the primary responsibility for children and are more vulnerable to physical abuse than men.

In the words of our Holy Scripture: "Justice, justice, you shall pursue." Deuteronomy 16:20.

I respectfully urge a favorable report on SB684.

JUFJ_Ioana Stoica_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Ioana Stoica
5802 Holger Ct, Laurel, MD 20707
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TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Ioana Stoica

My name is Ioana Stoica and I have been a Maryland resident for 22 of the past 30 years. I have resided in District 21 for the past four years. I am writing as a concerned citizen, and as a member of Bend the Arc's Moral Minyan and Oseh Shalom Synagogue in Laurel, MD. This testimony is in support of SB684, a bill that would require Maryland to operate a pre-release center for women to help them transition back as productive members of our community.

It is unconscionable that our state has several pre-release facilities for men, and none for women. The Jewish tradition teaches us that we must pursue justice above all, (Deut 16:20), and this includes providing equity of treatment to all people, regardless of sex or gender. According to the Maryland Justice Project, women are twice as likely as men to be incarcerated for a non-violent offense, and almost three quarters of these women are primary caretakers in their families. These women, who have been incarcerated, in many cases for outdated laws punishing poverty such as drug offenses (which overwhelmingly punish women of color and low-income individuals), should be provided opportunities for rehabilitation so they can rejoin their families and be able to provide for their children. And it is vital that these facilities have quality women's programming to truly assist them.

Currently, Maryland expects women to be released into the community without any transition period – without a job, cell phone, identification cards/driver's licenses, medical care, public benefits, and without any other supports to ensure a successful transition. How can they transition successfully when we are setting them up for failure? By not funding a women's pre-release center, we are cementing the cycle of poverty, injustice, and discrimination against our most vulnerable citizens.

Another Jewish value is that of care and love for our neighbor (Lev 19:18). This is a value that I know we share with many other faith traditions: "love your neighbor as yourself." It is our moral imperative to assist these women in transitioning back into our communities. This bill would require individualized and comprehensive reentry plans to help ensure that women have the proper help they need in all areas. It should help women procure important documents they need to function such as IDs; assist women in finding jobs, applying for healthcare and other benefits; support reunification of families provide gender-based programming that

addresses the trauma that many of these women have faced; and focus on rehabilitation instead of punishment.

Rabbi Hillel's teachings of two millennia ago, that we should not separate ourselves from our community, that we should share in our common tribulations, are why I support mandating a women's pre-release center be established with gender-responsive services. **I respectfully urge a favorable report on SB684.**

JUFJ_Ioana Stoica_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Ioana Stoica
5802 Holger Ct, Laurel, MD 20707
ioana.stoica@gmail.com / (240) 643-0059

TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Ioana Stoica

My name is Ioana Stoica and I have been a Maryland resident for 22 of the past 30 years. I have resided in District 21 for the past four years. I am writing as a concerned citizen, and as a member of Bend the Arc's Moral Minyan and Oseh Shalom Synagogue in Laurel, MD. This testimony is in support of SB684, a bill that would require Maryland to operate a pre-release center for women to help them transition back as productive members of our community.

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Rabbi Hillel's teachings of two millennia ago, that we should not separate ourselves from our community, that we should share in our common tribulations, are why I support mandating a women's pre-release center be established with gender-responsive services. **I respectfully urge a favorable report on SB684.**

JUFJ_Mark Paster_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Mark Paster
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mark@sunnydoor.net / (301) 588-5711

TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Mark Paster

My name is Mark Paster and I am a resident of Silver Spring (District 20), Maryland. I am writing in support of SB684.

“Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.” Someday soon, hopefully, the Equal Rights Amendment will become part of US law. Many laws already exist that prohibit different treatment of men and women without sound reasons. And yet Maryland continues to have no pre-release facilities for women who are about to be released from incarceration, despite providing such programming for men. The legal justification for this lack of gender parity is non-existent and the State should not continue to assume that no one will sue the State for this obvious and indefensible discrimination.

Pre-release facilities have been shown to help lower recidivism, smooth integration back into families and the community and help people who have been incarcerated become more successful in their lives. In order to accomplish this, however, it is essential that the programming fit the needs of the population that it serves. For women, this bill is necessary in that it requires gender-responsive, trauma-informed services as well as the opportunity for women to take classes, get workforce training, job placement, and family reunification assistance.

A more just society includes treating everyone more justly and equitably. Providing women, as we do men, with prerelease programming is simple justice and tailoring that programming to the needs of women being released simply makes sense. **I urge you to issue a favorable report on SB684.** Thank you.

JUFJ_Toby Ditz_FAV_SB684

Uploaded by: jufj, jufj

Position: FAV

February 26, 2020

Toby Ditz
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toby.ditz@jhu.edu / 410-669-0085

TESTIMONY IN SUPPORT OF SB684
Correctional Services - Prerelease Unit for Women - Facilities and Services
(Gender-Responsive Prerelease Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Toby Ditz

I am Toby Ditz, and I live in Baltimore City in District 40. This testimony is in support of SB684.

The proposition that there should be a women's pre-release facility with transition programs designed for women should not be controversial. Gender equity is at stake. I was on a tour of the Maryland Correctional Institution for Women (MCIW) two years ago and was very surprised to learn that so few resources were devoted to women's transition programs compared to men's. As a university teacher who worked for years to try to advance gender equity at my workplace, I had assumed, perhaps naively, that equitable treatment of men and women in the state prison system would at least be the working principle. Yet men's pre-release programs receive the lion's share of resources, while women are neglected. That men have multiple freestanding pre-release facilities, and women do not have even one is a stark example. It is unsafe, and it is just wrong.

People who know the prison system in Maryland better than I do say that men are advantaged partly because of economies of scale. Because there are so many more incarcerated men than women, a new program for men stretches a dollar further than a comparable program for women. From the vantage point of budgeting, it is an understandable temptation to focus on men. But, again, it is unjust and the expense of women's recidivism when we inadequately prepare them to transition back into society must also be considered.

Cutting corners on the needs of women in transition is also upside down from the perspective of family policy. Over the last several decades two-parent households have declined sharply in all ethnic and racial groups, and women are still primarily responsible for the daily care of children. This is especially true among lower income families. As a result, incarcerated women are providers and caregivers for children at three times the rate of incarcerated men. When mothers and grandmothers are in prison, the effects on the family are immediate and often devastating, as when children are placed in foster care.

One size cannot fit all when it comes to pre-release transition programs and facilities. Women need programs designed for them, not programs that were originally set up for men. Women need programs that will help them care for children who have been traumatized by their

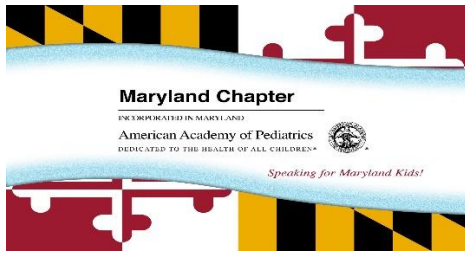
absence. Housing programs are especially important because women with children may face greater obstacles to getting suitable housing than men without resident children. And for some women, successful reentry will depend on learning how to avoid domestic abuse situations. Transition policies must be gender sensitive.

A pre-release unit for women that offers programming tailored to women's needs is in accord with the principle of gender justice, and it will enhance the well-being of families and children. **I respectfully urge a favorable report on SB684.**

MDAAP_Pam Kasemeyer_FAV_SB0684

Uploaded by: Kasemeyer, Pam

Position: FAV



TO: The Honorable William C. Smith, Jr., Chair
Members, Senate Judicial Proceedings Committee
The Honorable Mary Washington

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Richard A. Tabuteau

DATE: February 26, 2020

RE: **SUPPORT** – Senate Bill 684 – *Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender-Responsive Prerelease Act)*

The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support** for Senate Bill 684.

Senate Bill 684 requires the Commissioner of Corrections to provide a comprehensive rehabilitative prerelease facility for eligible female inmates that matches security level on a validated gender-responsive risk measure and make evidence-based and innovative programs and practices available to female inmates at the facility. A majority of incarcerated women were primary caregivers of children prior to their incarceration. Many are single mothers. Pre-release facilities can prepare women to reintegrate back into society by providing access to job training, employment, community resources, and reentry planning assistance within a less restrictive and safe environment.

Incarcerated women in Maryland need access to community and opportunity through a separate pre-release facility that provides trauma-informed and gender-responsive services. Providing such services will not only benefit the women but also their families as it will enhance the likelihood of successful reentry and the ability for these women to be successful and self-supporting. A favorable report is requested.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Richard A. Tabuteau
410-244-7000

BaltimoreWomenUnited_FAV_SB 684

Uploaded by: KLATIMAN, JESSICA

Position: FAV



Testimony

SB 682 – Pre-Release Unit for Women – Requirement to Operate

Position: FAVORABLE

Dear Chairman Smith and Members of the Senate Judicial Proceedings Committee:

Baltimore Women United (BWU) urges this committee's favorable report for **SB 682 – Pre-Release Unit for Women – Requirement to Operate**.

BWU activates women as voters, constituents, candidates and donors. BWU started in 2016 after the presidential election and educates women on important issues, motivates them to take action, and plays a role in electing candidates who support our issues. BWU is an all-volunteer group organizing major actions to further women's equality in Baltimore and in Maryland, whose leadership is predominantly women of color.

SB 682 requires the Department of Corrections to create a pre-release unit for women. Current law states that the Department may create the pre-release unit. The Department had a pre-release unit in Baltimore City but was closed when the Administration closed the Baltimore jail. The Department says they currently provide similar services at the women's prison in Jessup.

There are seven (7) pre-release units for men, there are zero (0) for women. This is unfair. Women need specific units for them to prepare for re-entry into regular life. This is a fairness and Title IX issue. Women need and deserve the same services and treatment as men.

Women have specific needs in order to transition into regular life. They need jobs and training and preparation just like anyone else, and they need that time to transition to very important roles of mom in some cases. Just providing pre-release services where the rest of the population is does not help.

While the cost for creating a separate pre-release unit for women is high, according to the fiscal note, since there already was a pre-release unit for women at one time, we believe the Department can work with the Governor to shift funds back into the budget for this purpose.

We urge your support for this important legislation.

Respectfully Submitted:

Odette Ramos and Denise Gilmore, Co-Chairs, Baltimore Women United

Howard University School of Law CLC_FAV_SB 684

Uploaded by: LAW, HOWARD UNIVERSITY

Position: FAV



**SB 682 - Correctional Services – Prerelease Unit for Women – Requirement to Operate,
SB 683 - Corrections – Women’s Prerelease Unit – Requirements (Women’s Prerelease
Equity Act),
SB 684 - Correctional Services – Prerelease Unit for Women – Facilities and Services
(Gender–Responsive Prerelease Act)
February 26, 2020**

The Howard University School of Law Human and Civil Rights Clinic writes to express support for Senate Bills 682, 683, and 684. Senate Bill 682 would require the Commissioner of Corrections to create prerelease units for women, helping to cure the complete lack of prerelease units for women in Maryland. Senate Bill 683 would define “prerelease unit for women,” requiring the prerelease unit to be placed in a zip code where the largest percentage of incarcerated persons are likely to be released and authorize increased community access. Senate Bill 684 would require that the Commissioner ensure that women in pre-release programs receive access to appropriate rehabilitative programs. Together, these bills will rectify the disparity in prerelease services offered to incarcerated women and allow these women access to programs that will aid them in transitioning back into society.

Criminal justice reform policies have largely neglected the needs of incarcerated women who often lack access to prerelease programs, despite their growing numbers. The United States is home to just 4% of the world’s female population, but accounts for nearly 30% of the world’s

incarcerated women.¹ Fueled in part by the war on drugs and post-conviction barriers to reentry, the number of incarcerated women has grown at an unprecedented rate, increasing by more than 750% between 1980 and 2017.² Women are incarcerated at a rate twice that of men;³ however, unlike their male counterparts, women are largely convicted of non-violent crimes, mainly property and drug offenses that can be linked to conditions of disadvantage.⁴

Despite posing less of a security risk than males, there are no prerelease units for incarcerated females in Maryland. Prerelease units are designed for incarcerated persons subject to the lowest security level who present the least risk of violence or escape and have established an excellent record of acceptable behavior. Over a decade ago, Maryland closed down Baltimore's Prerelease Center, the only prerelease center for women in Maryland, to save money.⁵ Conversely, Maryland runs nine prerelease units for incarcerated men including Brockbridge Correctional Facility (a medium-security institution and a minimum-security facility), the Dorsey Run Correctional Facility, the Central Maryland Correctional Facility, the Southern Maryland Pre-Release Unit, the Eastern Pre-Release Unit, the Baltimore Pre-Release Unit, the Harold E. Donnell Pre-Release Unit, and the Poplar Hill Pre-Release Unit.⁶ As a result, incarcerated women in Maryland do not have the same access to prerelease programs as men that could shorten their sentences and provide them with the resources necessary to succeed upon their release.

¹ Aleks Kajstura, "States of Women's Incarceration: The Global Context 2018." *Prison Policy Initiative*, June 2018, available at <https://www.prisonpolicy.org/global/women/2018.html>.

² The Sentencing Project, "Incarcerated Women and Girls." June 6, 2019, available at: www.sentencingproject.org/publications/incarcerated-women-and-girls/.

³ The Sentencing Project, "Incarcerated Women and Girls."

⁴ Sufrin, Carolyn, Molinas, Alexa Kolbi, and Rachel Roth. "Reproductive Justice, Health Disparities and Incarcerated Women in the United States." 47 *Perspectives on Sexual & Reproductive Health* 213, 213 (December 2015).

⁵ Alison Knezevich, Maryland Plans a Coed Training Center for Inmates Heading Home, But Women's Advocates Say It's Not Enough, *The Baltimore Sun*, Jan 20, 2020, available at <https://www.baltimoresun.com/politics/bs-md-pol-womens-pre-release-20200127-liorw44dizfjhljlzq2zw7h2ui-story.html>.

⁶ "Department of Public Safety & Correctional Services" *Maryland Manual On-Line: A Guide to Maryland & Its Government*, available at: <https://msa.maryland.gov/msa/mdmanual/22dpscs/html/22agen.html#prerelease>.

I. The Lack of Equal Access to Prerelease Units for Women in Maryland Presents Serious Concerns Under the Equal Protection Clause of the Fourteenth Amendment.

The failure to provide any, let alone equal, prerelease units for women in Maryland constitutes gender discrimination and raises concerns under the Fourteenth Amendment. The Equal Protection Clause of the Fourteenth Amendment provides that “No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.” Classifications based on gender, including in the context of unequal prison conditions, are subject to intermediate scrutiny and require the State to show that the classification is substantially related to an important governmental objective.⁷ Saving time, money, and/or effort does not justify gender-based discrimination.⁸

Maryland does not have an important governmental interest justifying the disparity in prerelease units for women in comparison to men. Incarcerated women have an equal right to access prerelease units and services as similarly situated incarcerated men in Maryland. Due to the complete lack of prerelease units for incarcerated women in Maryland, women often have a harder time transitioning from the isolated world of incarceration back into society.

Courts have agreed. For example, in *West v. Virginia Dep't of Corrections*, the U.S. District Court for the Eastern District of Virginia found that the Virginia Department of Corrections (“DOC”) “acted unconstitutionally in providing a favorable sentencing option [a boot camp incarceration program] for male prisoners, where none was available for female prisoners.”⁹ The Plaintiff in the case plead guilty to a felony charge of possession of narcotics with intent to

⁷ *Mississippi Univ. for Women v. Hogan*, 458 U.S. 718, 724 (1982); *Bukhari v. Hutto*, 487 F. Supp. 1162, 1171 (E.D. Va. 1980).

⁸ *See Bukhari*, 487 F. Supp. at 1172 (holding that “such seemingly practical considerations” such as cost “may not be used to ‘justify official inaction or legislative unwillingness to operate a prison system in a constitutional manner.’”); *See also Califano v. Goldfarb*, 430 U.S. 199, 217 (1977) (finding gender-based discrimination in the distribution of employment-related benefits “based simply on ‘archaic and overbroad’ generalizations that it would save the Government time, money, and effort . . . do not suffice to justify a gender-based discrimination”).

⁹ *West v. Va. Dep't of Corr.*, 847 F. Supp. 402 (W.D. Va. 1994).

distribute and filed a motion to participate in the boot camp program. Besides being female, she met all of the requirements for admission to the program, but she was denied entry and sentenced to serve her sentence in prison. Upon review, the court concluded that the defendants could not provide “programs and favorable sentencing to male inmates solely on the basis that the problems are more pressing in male prisons and it is more cost-effective to address those problems.”¹⁰ The court held there was no justifiable reason to treat the male and female prisoners differently and doing as such was unconstitutional.

Here too, Maryland is acting unconstitutionally by providing prerelease units to men, but none to women. This has the effect of foreclosing the favorable benefits of prerelease units for incarcerated women even though they qualify for prerelease status. There is no justification for providing incarcerated males with more prerelease programs while failing to provide prerelease units for women.

II. Women Face Unique Harms as a Result of a Complete Lack of Prerelease Units for Women in Maryland.

The drastic increase in the rate of female incarceration has exposed the unique harms women face in a correctional system designed for men. The prevalence of histories of trauma, abuse, drug addiction, and mental illness is high among incarcerated women, who, while incarcerated, are exposed to violence, sexual assault, communicable diseases, poor nutrition, and poor living conditions.¹¹ Despite these high prevalence rates, women lack access to the very prerelease programs that provide the necessary counseling, treatment, and resources needed to move past any mistakes they have made. Additionally, because there are no prerelease units for women in Maryland, women who meet the requirements for prerelease are housed with women

¹⁰ *Id.* at 407.

¹¹ “Reproductive Justice, Health Disparities and Incarcerated Women in the United States.”⁴⁷ *Perspectives on Sexual & Reproductive Health* at 213-14.

with more violent histories subjecting them to a higher probability of being assaulted.¹² Failing to provide prerelease units for women, will continue to keep women confined in a correctional setting where they are exposed to these risks rather than providing the resources that would allow them to reintegrate as productive members of society.

Moreover, the harms of failing to provide prerelease units for women extend beyond the women detained to the next generation. The increase in incarceration rates of women has also led to an increase in the incarceration of mothers. From 1991 to 2007, the number of mothers incarcerated increased by 122% compared to 76% for fathers.¹³ Incarcerated women are more likely than men to be the primary caregivers for their children.¹⁴ As a result, children of incarcerated women are more likely to live with relatives or be placed in foster care than children of incarcerated men.¹⁵ This can make the life of the children with an incarcerated mother more difficult as they must deal with material hardships and familial instability stemming from their mother's incarceration, including lower standards of living, insecure housing, and frequent school changes.¹⁶ Prerelease programs allow for family reintegration and aid in rebuilding and strengthening familial ties that can counteract the negative effects of a mother's incarceration on a child.

III. Conclusion

It is time that we, as a society, take action to ensure that we are as invested in the future success of our women as we are our men. Maryland's failure to provide prerelease units for

¹² Out for Justice, "Women's Pre-Release pamphlet and fact sheet" available at <https://www.marylandjusticeproject.org/women-s-pre-release-facility>

¹³ The Sentencing Project, "Parents in Prison." Sept. 27, 2012, available at: <https://www.sentencingproject.org/publications/parents-in-prison/>

¹⁴ See Emily Halter, Parental Prisoners: The Incarcerated Mother's Constitutional Right to Parent, 108 *J. Crim. L. & Criminology* 539, 555 (2018).

¹⁵ The Sentencing Project, "Parents in Prison."

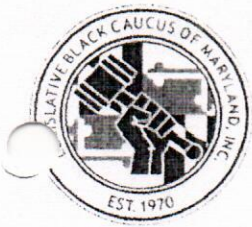
¹⁶ Parental Prisoners: The Incarcerated Mother's Constitutional Right to Parent, 108 *J. Crim. L. & Criminology* at 555.

incarcerated women raises serious concerns under the Equal Protection Clause of the 14th Amendment and has no justifiable explanation. These constitutional concerns can only be remedied by providing women with their own prerelease units that offer the same rehabilitative services to incarcerated women that are provided to incarcerated men in Maryland. For the forgoing reasons, the Howard University School of Law Human and Civil Rights Clinic urges favorable reports on Senate Bills 682, 683, and 684.

Legislative Black Caucus_FAV_SB 684

Uploaded by: lbc, legislative black caucus

Position: FAV



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401

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January 28, 2020

Senator William C. Smith Jr.
Chair, Judicial Proceedings

Senator Jeff Waldstreicher
Vice Chair, Judicial Proceedings

Dear Chair Smith and Members of the Committee:

The Legislative Black Caucus of Maryland has voted to offer **favorable** support for three bills: SB 682- Pre-Release Unit of Women, Requirement to Operate; SB 683 Women's Prerelease Equity Act; and SB684 Gender Responsive Pre-Release Act. The purpose of these legislations are to provide equitable ore-release standards to post release facilitation for those returning citizens are getting the proper services and support they need to successfully reenter society and reduce the rates of recidivism.

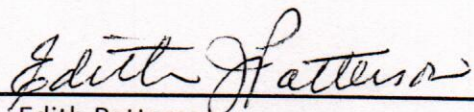
A large portion of African American women make up the share of women incarcerated in Maryland Correctional Institutional for Women (MCIW). The women deserve an opportunity to be successful in the same manner as incarcerated men in the State of Maryland and should be given fundamental access to the services and resources of a prerelease Unit.

In addition, based on best practice, including the requirement that prerelease facilities be located in areas where the largest portion of individuals are returning to in order to ensure their access to the needed resources and services for successful reentry.

We feel this legislation is important. This issue is both a serious gender equity issue as well as an issue of disparity. There are currently nine men's prerelease facilities across the state, but we have no facility for women. For these reasons, the Legislative Black Caucus of Maryland supports SB 682, SB 683, and SB684.

Respectfully,

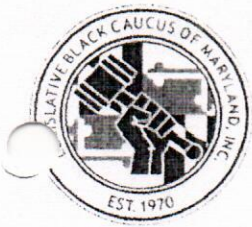
Darryl Barnes
Chair, Legislative Black Caucus
of Maryland


Edith Patterson
1st Vice Chair, Legislative Black
Caucus of Maryland

Legislative Black Caucus_FAV_SB 684

Uploaded by: lbc, legislative black caucus

Position: FAV



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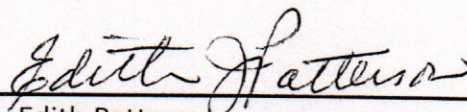
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Respectfully,

Darryl Barnes
Chair, Legislative Black Caucus
of Maryland


Edith Patterson
1st Vice Chair, Legislative Black
Caucus of Maryland

MCASA_FAV_SB 684

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Position: FAV



Working to end sexual violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
Fax: 301-565-3619

For more information contact:
Lisae C. Jordan, Esquire
443-995-5544
www.mcasa.org

Testimony Supporting Senate Bill 683 & Senate Bill 684
Lisae C. Jordan, Executive Director & Counsel
February 26, 2020

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI) which provides direct legal services for survivors across Maryland. We urge the Judicial Proceedings Committee to report favorably on Senate Bills 683 and 684

Senate Bill 683 – Pre-Release Services for Women

Senate Bill 684 – Pre-Release Facility for Women

These bills mandate pre-release services for women inmates and creation of a pre-release facility for women inmates.

86 percent of women who have spent time in jail report that they had been sexually assaulted at some point in their lives. While women represented just 13 percent of the US jail population between 2009 and 2011, they represented 67 percent of the victims of staff-on-inmate sexual victimization. (*Overlooked: Women and Jails in an Era of Reform*, Vera Institute, 2016) Within our State, 12.7% of inmates at the Maryland Correctional Institute for Women reported being sexually victimized by a fellow inmate or staff member. (Allen J. Becket al, "Sexual Victimization in Prisons and Jails Reported by Inmates, 2011–12", Bureau of Justice Statistics, May 2013.) Sexual violence is so pronounced among jailed and incarcerated women that Sen. Cory Booker, (D-NJ,) has labeled the overarching phenomenon as "a survivor-of-sexual-trauma to prisoner pipeline."

It is critical that women have access to services prior to release from incarceration. Pre-release services will include connecting sexual assault survivors with local rape crisis centers and other vital support. This can include therapy, support groups, and information about recovering from sexual violence.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 683 and Senate Bill 684**

MCASA_FAV_SB 684

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Position: FAV



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**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 683 and Senate Bill 684**

MDJP_Etta Myers_FAV_SB 684.pdf

Uploaded by: mdjp, mdjp

Position: FAV



TESTIMONY IN SUPPORT OF SB682, SB683, & SB684

To: Chairman William Smith and Members of the Senate Judicial Proceedings Committee

From: Etta Myers Maryland Justice Project, Volunteer

Date: 2/26/2020

Ladies and Gentlemen

My name is Etta Myers I am a formerly incarcerated woman. I served 38 years in the Maryland Correctional Institution for Woman. I had the privilege of engaging the Pre-release/Work Release system if I remember correctly 1987-1993. While I was there I the program assisted us women in developing and being the best person, we could be. The mental health, the therapy, the recovery from addiction, education, anger management, spiritual growth, resocialization, family unification. Employment, and financial enrichment classes. I was 34 at that time and ready to take a positive plunge at life again. Unfortunately, Rodney Stokes committed a terrible offense and I was checked back in to MCIW where I served an additional 20 years for something, I had no part in until the Unger decision released me. I ask you what kind of people release folks with to fend for themselves giving them the state cloths they wore in prison and what little one has in their account. Individuals leaving prison are broken, lonely, insecure and in real fear about how to make it day by day. Women deserve the opportunity to be the best they can be. I plead with you to give the woman behind bars a real chance. Vote in favor of SB 682, 683, & 684.

MDJP_Giselle Hicks_FAV_SB 684

Uploaded by: mdjp, mdjp

Position: FAV



TESTIMONY IN SUPPORT OF SB682, SB683, & SB684

To: Chairman William Smith and Members of the Senate Judicial Proceedings Committee

From: Giselle Hicks Maryland Justice Project, Volunteer

Date: 2/26/2020

My name is Giselle Hicks. I am a former inmate at The Maryland Correctional Institution for Women in Jessup, Md. I received a 15yr. sentence for which I served 10 years day for day. Upon my release My status was decreased to "Minimum" Status. However, I still had to serve the full 10yrs at MCI-W without ANY type of Pre-release and/or rehabilitation to prepare me for the outside world. I was released from MCI-W on April 6, 2002 But that's all it was...A Release... I wasn't given any opportunities to be placed into a Pre-release Facility because there was NONE. Prior to my incarceration, I had gone through a very traumatic childhood full of every type of abuse & abandonment Issues that were never resolved. I was in desperate need of Resources to help Me with Coping Mechanisms that would assist me to deal with Life's challenges. Therefore, abuse & abandonment was all that I knew. As a result, I was basically thrown out into a Jungle world; feeling the same way I felt when I first arrived at MCI-W (Unsafe, Scared, Used Abused, Hopeless, Confused, Abandoned, Clueless & very Lost...) All females should be given an opportunity to receive resources such as Pre-release and /or Halfway houses to assist any female in need of Guidance & rehabilitation. This will provide the females with the necessary tools needed to deal with "Everything" outside of those horrific prison gates. However, I was one of the VERY FEW who was blessed with Family that was there for me & my 2 kids at the time (for which I gave birth to my son while I was incarcerated). Many females aren't as fortunate as I was to have support from their family. This will cause an effect on a person to "Unfortunately" repeat a series

of Insanely unacceptable behavior due to the lack of family support & supportive services from our communities. I Strongly Support this Bill to have Pre-Release Facilities for Females...

I Thank You all involved for your time, patience & your Sincere Consideration in this Urgent matter To Approve a Pre-Release Housing Unit for Woman.

Sincerely Yours,

Giselle Hicks (MJP Volunteer)

MDJP_Monica Cooper_FAV_SB 684

Uploaded by: mdjp, mdjp

Position: FAV



TESTIMONY IN SUPPORT OF SB682, SB683, & SB684

To: Chairman William Smith and Members of the Senate Judicial Proceedings Committee

From: Monica Cooper Maryland Justice Project, Founder

Date: 2/26/2020

Dear Chairman and members of the committee

The Maryland Justice Project would like to ask for your support in creating equitable, gender-responsive pre-release services for women in Maryland. Our organization work with Women and Girls Incarcerated and Formerly Incarcerated, in fact many of us are directly impacted and once found ourselves on the opposite end of this issue awaiting re-classification and transfer to the Baltimore Pre-release Unit for Woman located at 301 Calverton road. As a former resident at MCIW I can recall how as we approached our classification date to Pre-release status we would hear stories about BPRU-W, stories of week-end visit with your children and family, we would hear stories about the many training programs that was offered as we contemplated our career goals and what types of training would lead us to that path. I can recall the stories about how you could just walk into the Doctors office without having to wait weeks or months to be seen, which I found fascinating and welcoming. Speaking from my experience being incarcerated and having basic every day freedoms taking from me causes one to think about all the things you would do if you only had a second chance. Things like taking better care of yourself, getting a good full-time job, finally going to college to pursue your dream career, opening your own business. For most of us Women exiting MCIW and returning home these were the things we looked forward to at the Pre-release Unit. Now that the Pre-release Unit has been shut down and moved inside of a maximum-security facility. The overwhelming number of women eligible for Pre-release status, which last we checked was around 260 most of which are refusing to participate in the pre-release program because the institution offers absolutely nothing especially in comparison to what it used to offer when it was at 301 Calverton road. The women refuse to pay MCIW \$1,000 dollars a month to be dropped off in front of a fast food

restaurant in a prison van. The women are refusing to participate in a program that does not encourage family reunification not being able to get weekend passes. One of the greatest tools of behavioral modification inside the penal system is the classification instrument. Inmates are fully aware of the importance of not getting into trouble getting a G.E.D getting involved in therapeutic classes and other things that will assist them in getting out of prison. Again, from my personal experience, I stayed out of trouble participated in self-help groups therapeutic groups workshops with the intention of making parole, and reaching my last 24 months with an outstanding record so I could be transferred to the PRE-RELEASE UNIT FOR WOMEN. My experience was almost 12 years ago. Currently MCIW don't even have a social worker to ensure the women have their social security cards and identification before they exit. There have been at least 3 suicides in the last few years. In recent months a 19-year-old resident who was screaming out for mental health attention manage to set her cell on fire injuring herself and a few correctional officers. These incidents are a clear sign that the women are not getting the help they need, and it is an even bigger sign that when women leave that so called pre-release program they are most definitely not equipped or prepared to cope with the road ahead of them. I urge you to put your support behind this bill and all efforts to ensure women are given the tools they need to return home and be better mothers and daughters.

Thank you,
Monica Cooper, Executive Director
Maryland Justice Project

MDJP_Vonunette Allen_FAV_SB 684

Uploaded by: mdjp, mdjp

Position: FAV



TESTIMONY IN SUPPORT OF SB682, SB683, & SB684

To: Chairman William Smith and Members of the Senate Judicial Proceedings Committee

From: Vonunette Allen Maryland Justice Project, Volunteer

Date: 2/26/2020

I am writing seeking your assistance with passing the bill to give the women a Pre-Release facility of their own. Over twelve years ago, the only pre-release facility for women was closed. No one could actually explain why it had been closed. The men have 8 pre-release facilities which are Poplar HUI Pre-Release Unit, Maryland Correctional Pre-Release System, Baltimore Pre-Release Unit, Eastern Pre-Release Unit, Jessup Pre-Release Unit, Southern Maryland Pre-Release Unit, Dismas House East and Dismas House West.

You have women going out on work-release and paying room & board being housed in a maximum security prison. Housed on a unit with people that are maximum, medium and have life. At this time the women that are eligible for work-release are being housed in B-Building on B-West on the same unit that has a program called B-West Merit System.

There are limited work release and pre-release opportunities for women. Opportunities that do exist are either in Baltimore City or drug treatment. I am an ex-offender and I came home from prison after doing almost 9 years unprepared and no transition from prison. Thank God for my family and church family who assisted me with that adjustment. It was hard for me to find employment that would accept me without judging my criminal history. Being at a maximum facility failed to prepare me, yet if the women had a pre-release facility I would have had the tolls that I needed in order to have a smooth transition.

These opportunities when the Baltimore Pre-Release for Women was opened it produced positive results. It taught women how to be self-sufficient, independent and responsibilities. Meaning it allowed us to seeking stable employment; establish bank accounts in order to build a savings, and housing. At this point in time, the work release opportunities were offered through Baltimore Pre-release Unit for Women which was located in Baltimore City. It allowed women nearing the end of their incarceration to work in an area that requires 2 hours or less transportation time, using public transportation. The areas included Baltimore City, Baltimore County and Anne Arundel County. The availability of opportunities are based on employers who are willing to hire and inmate on work release. Having a work-release facility for women who never worked before have employment lower the recidivism.

Decreasing recidivism is partially based on effective transitioning to the community and the provision for education, skill development, and work ethics that you develop while at the pre-release facility. Since transitioning to the community is an important element of community adjustment expanding transitional and aftercare services to everyone that is within a year of release or a disputation of parole.

Unfortunately, people who have a criminal background carry a stigma, making it harder for us to adjust to life after release. Some people are unable to make that transition being in a maximum-security environment. I am asking that you support the passing of this bill. Thank you in advance for your time and cooperation with assisting us with this bill.

Respectfully,

Ms. Vonunette Allen

Ms. Vonunette Allen

MLAW_FAV_SB 682

Uploaded by: MLAW, MLAW

Position: FAV



Maryland Legislative Agenda for Women

Bill No: Senate Bill 682
Title: Correctional Services - Prerelease Unit for Women - Requirement to Operate
Committee: Judicial Proceedings
Hearing Date: February 26, 2020
Position: SUPPORT

The Maryland Legislative Agenda for Women (MLAW) is a statewide coalition of women's groups and individuals formed to provide a non-partisan, independent voice for Maryland women and families. MLAW's purpose is to advocate for legislation affecting women and families. To accomplish this goal, MLAW creates an annual legislative agenda with issues voted on by MLAW members and endorsed by organizations and individuals from all over Maryland. **Senate Bill 682 is a priority on the 2020 MLAW Agenda.**

MLAW supports Senate Bill 682 because this bill would require, instead of authorizing, the commissioner to operate a prerelease unit for women.

In 2009 the Department of Corrections shut down the one and only Pre-release Center for Women and sent the participants back to the Maryland Correctional Institution for Women (MCIW). To this day D.O.C is trying to run a Pre-Release Center for Women inside a Maximum Security Facility from prison cells. This essentially does not fit the criteria of a Pre-release Center and it is Discriminatory on its face. There are 9 separate Brick and Mortar Pre-Release Centers for Men and Zero for Women. Every human being released from incarceration should have the same opportunities and access to programs and jobs which are put in place for individuals to have a successful re-entry to the community. This is an equity issue, a title IX issue and a gender discrimination issue. Women deserve the same opportunity to heal become whole and return to their families as tax paying citizens just like the men.

Baltimore Pre-Release Unit for Women began in July 1975 as Community Corrections Center for Women. In 1978, Center was renamed Pre-Release Unit for Women and placed under jurisdiction of Maryland Correctional Pre-Release System (Code Correctional Services Article, secs. 3-301 through 3-305). Unit moved from 4500 Park Heights Avenue to 301 North Calverton Road in July 1991. At that time, it was renamed Baltimore Pre-Release Unit for Women with a capacity for 136 inmates. It was placed under jurisdiction of Maryland Correctional Institution for Women - Jessup in Nov. 1999.

Under the Maryland Women Pre-Release Unit Code Annotated 3-303, it is the commissioner duties to provide rehabilitative pre-release services to develop, implement, assist, and make sure pre-release women needs are met. However, due to overcrowding most women are released without ever obtaining any educational, wellness, or substance abuse help needed to successfully integrate and transition back into their communities. They never receive work release opportunities. Furthermore, due to not receiving aid two-thirds of the women incarcerated, thirty-one percent are repeat offenders.

Legislation re-establishing a separate Brick and Mortar Pre-release Center for Women will finally provide gender equity for incarcerated women. Per a former resident who was recently released after 19 years' "women are being released after years of incarceration with no transitioning, training, programing, or work release to prepare them for the real world. One example was a woman being recently released where she never had any computer training, never attended any programing preparing her for her release, and she never participated in work release". We must insist that the Department of Public Safety and Correction provide equity among its Men and Women being released from incarceration.

The Maryland Legislative Agenda for Women strongly urges the passage of Senate Bill 682.

Maryland Legislative Agenda for Women (MLAW)

305 W. Chesapeake Avenue, Suite 201 | Towson, MD 21204

mdlegagenda4women@yahoo.com | 443-519-1005 | www.mdlegagendaforwomen.org

MLAW Supporting Organizations

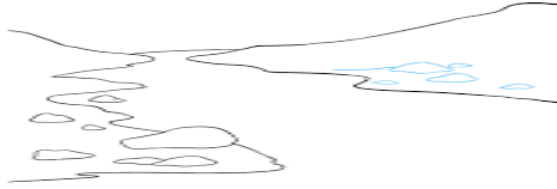
The following organizations have signed on in support of 2020 Legislative Agenda:

AAUW Maryland
Anne Arundel County Commission for Women
Anne Arundel County NOW
Baltimore County Women's Commission
Business and Professional Women of Maryland (BPW/MD)
Calvert County Commission for Women
Charles County Commission of Veterans Affairs
DC Coalition for Safe and Just Communities
Federation of Jewish Women's Organization of Maryland
Greater Washington Jewish Coalition Against Domestic Abuse (JCADA)
HopeWorks of Howard County
Laurel RESIST
Law Office of Carole D. Brown, LLC
Lincoln Park Historical Foundation
Maryland Business and Professional Women
Maryland Coalition Against Sexual Assault
Maryland Network Against Domestic Violence
Maryland NOW
Maryland Women's Heritage Center
MoCoWoMen
Montgomery County BPW
Montgomery County Commission for Women
Montgomery County NOW
Montgomery County Women's Democratic Club
Montgomery County Young Democrats
NARAL ProChoice Maryland
National Coalition of 100 Black Women, Inc., Anne Arundel Chapter
National Coalition of 100 Black Women, Prince George's County, MD
North Arundel Alumnae Chapter, Delta Sigma Theta Sorority, Inc.
On Our Own of Montgomery County Inc.
Planned Parenthood of Maryland
Prince George's County Drug Policy Coalition, Inc.
The Human Trafficking Prevention Project
The Law Office of Jessica O'Kane
The QED Foundation
White Lion Social
Women's Equality Day 2020 Celebration Coalition
Women's Law Center of Maryland

GEHM_FAV_SB684

Uploaded by: mobilization, glen echo

Position: FAV



GLEN ECHO HEIGHTS MOBILIZATION

Committee: Senate Judicial Proceedings Committee

Testimony on: SB 682, SB 683, SB 684—Gender Responsive Pre-Release Act

Position: Support

Hearing Date: February 26, 2020

Glen Echo Heights Mobilization submits this letter in support of companion bills SB 682, SB 683, and SB 684 to establish equitable pre-release services for Maryland's incarcerated women. It is imperative, if Maryland wishes to reduce recidivism and reduce costs of incarceration, that Maryland's incarcerated female population have the same access to a pre-release facility as men.

These companion bills would require the Department of Corrections to offer a dedicated pre-lease center for incarcerated women in Maryland.

We support this legislation for the following reasons:

- **The number of women in Maryland prisons remains stagnant, while the number of men incarcerated is going down.**
- **A majority of incarcerated women in Maryland are primary caretakers; many are single parents.**
- **Incarcerated women facing societal reentry in Maryland are housed in unsafe maximum-security locations, where the assault rate is higher than at pre-release centers for men.**
- **Women need the same opportunity to prepare for release as men in Maryland.**
- **According to the Maryland Legislative Task Force, a community-based pre-release setting increases the likelihood of successful re-entry and decreases the likelihood of recidivism.**

Conclusion

This bill provides multiple benefits to Maryland citizens. Of principle importance to our organization, it provides equal treatment of the genders, prepares women for a successful re-entry into society, and decreases the chance that such women will be incarcerated again. We urge a favorable report by this Committee.

Glen Echo Heights Mobilization is a group of local residents that meets regularly to discuss and take actions to make progressive change happen at the municipal, county, state and federal levels.

WDCMo.Co._FAV_SB 684

Uploaded by: moco wdc, moco wdc

Position: FAV



MONTGOMERY COUNTY, MARYLAND WOMEN'S DEMOCRATIC CLUB

Senate Bill 0682 – Correctional Services – Prerelease Unit for Women - Requirement to Operate

Senate Bill 0683 – Correctional Services – Prerelease Unit for Women – Requirements (Women's Prerelease Equity Act)

Senate Bill 0684 – Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender Responsive Prerelease Act)

Senate Judicial Proceeding Committee – February 26, 2020

SUPPORT

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2020 legislative session. WDC is one of the largest and most active Democratic Clubs in our County with more than 600 politically active women and men, including many elected officials.

WDC urges the passage of SB0682 and its companion bills SB0683 and SB0684. These bills: 1) require the Department of Public Safety and Correctional Services (DPSCS) to operate a prerelease unit for women; 2) define "prerelease unit" as a standalone structure in a location that maximizes the number of women for whom the prerelease unit is close to their home community; and 3) require evidence-based, trauma-informed, innovative programming that is designed to be effective for women's needs (i.e., gender responsive) and will provide important educational, vocational, health, therapeutic, parenting, planning and other services.

WDC is supporting these three bills for a very simple reason: incarcerated men in Maryland have **nine** prerelease programs throughout the state and incarcerated women have **zero**. **This unequal treatment must end now.** Incarcerated women in Maryland who have earned prerelease status deserve—and are required by both the U.S. Constitution and the Maryland Equal Rights Act—to have facilities and programs equal to those of men.

In January 2010, DPSCS closed the Baltimore Prerelease Unit for Women (BPRUW), the sole women's prerelease center in Maryland. Since then, women who have earned prerelease status have been housed at the Maryland Correctional Institution for Women (MCI-W) in Jessup, Maryland. This arrangement, while saving the state money, cannot and does not provide adequate prerelease services for women. Just a few of the glaring problems are:

- Women in prerelease in MCI-W are housed in cells along with prisoners of all statuses, including maximum security. This results in tension and conflict between women in maximum security status and those in prerelease status as the former have no desire to see the latter succeed.¹ To add insult to injury, both men and women in prerelease status are required to pay a significant portion of their earnings per hour as rent and board for living in a prerelease unit. Women in prerelease at MCI-W are therefore paying to "rent" their cells at MCI-W, which they previously occupied free of charge.

¹ The assault rate at MCI-W is increasing and is higher than at the prerelease centers for men.
<http://data.baltimoresun.com/news/jail-assault/>



MONTGOMERY COUNTY, MARYLAND WOMEN'S DEMOCRATIC CLUB

- Job possibilities in Jessup (population 7,137)² are limited. According to a guard at MCI-W with whom members of the Women's Democratic Club spoke, the women in prerelease status work "either at the truck stop or at Checker's."³ In addition to being low-paid positions which teach few job skills, unless a woman resides in or near Jessup, she cannot keep the job upon release.
- There is no public transit that reaches MCI-W. Therefore, women in prerelease status in Jessup are not learning how to navigate public transit, a necessary skill for returning women. Those who work are taken to their jobs in prison vans (for which they pay a fee). In addition, if women in "prerelease" status want to visit family and children, they must pay for private transportation. That, together with being housed in a maximum-security prison, is an impediment to successful reunification of children with their incarcerated mothers, most of whom are single heads of their households.⁴
- Because MCI-W is a prison, not a standalone prerelease unit, there is no access to WiFi and computers to enable women to secure jobs and housing for when they return to their home communities.

The consequences of housing women in prerelease status in MCI-W are that formerly incarcerated women are returning home without a job, without housing, without an opportunity to learn or re-learn basic life skills, disconnected from their communities, and most importantly, without having laid the groundwork for successful reunification with children and family. The essential element of prerelease is that it is based in the community. MCI-W is nobody's community. **In short, housing women in prerelease at MCI-W defeats the entire purpose of prerelease.**

In Montgomery County, women have prerelease programming and services that are equal to those offered to men. WDC wants women in state custody to have the opportunity to return to their families and home communities with the same chance of success that women in Montgomery County have. We recognize that this will cost money—money the state has been unwilling to spend on women since January 2010 but has been completely willing to spend on men. In this vein, we urge you to question hard the capital costs identified in the Fiscal Note. Based on our independent research (detailed below), we believe those costs are grossly inflated.

- The entire Dorsey Run Correctional Center—a minimum-security facility with capacity for 1120 beds—was constructed for \$48 million in 2012-2014.⁵ When it closed, the BPRUW housed approximately 140 women, or 13% of the capacity of Dorsey Run. Yet, DPSCS claims that a standalone women's prerelease unit would cost nearly twice the cost of Dorsey Run even though Dorsey Run has higher security requirements. This claim defies credibility.
- The Fiscal Note never defines the square footage that would be necessary to house the women's prerelease unit. Therefore, we cannot determine with any accuracy whether the estimated construction costs bear any semblance to the average per-square-foot construction costs of similar projects. In Montgomery County, for example, the average cost of school construction—which very much approximates the construction type of the Montgomery County Prerelease Center—is

² https://en.wikipedia.org/wiki/Jessup,_Maryland

³ Conversation between Fran Rothstein, Lynn Olson and Beth Tomasello (WDC Members) and MCI-W prison guard, January 23, 2020

⁴ <http://www.wpaonline.org/resources/quick-facts>

⁵ <https://www.pjdick.com/project/dorsey-run-correctional-facility-phase-i/>
<https://www.pjdick.com/project/dorsey-run-correctional-facility-phase-ii/>



MONTGOMERY COUNTY, MARYLAND WOMEN'S DEMOCRATIC CLUB

\$278 per square foot.⁶ At that cost per-square-foot, simple math tells us that the proposed women's prerelease unit, as priced in the Fiscal Note, would be 334,532 square feet, or almost 85,000 square feet larger than Dorsey Run.

- The Fiscal Note does not state where the prerelease unit for women will be located, therefore we cannot evaluate the average construction costs for that part of the state.
- According to the 2018 DPSCS Annual Report, it costs the state between \$14,000-\$19,000 more per capita to house a woman at MCI-W than it costs to house men in the state's prerelease units.⁷ Those cost savings need to be accounted for in the Fiscal Note.

WDC would like to leave the Committee with a final thought. Except for the small number of women serving life sentences, every woman at MCI-W is eventually coming home to her family and to our communities. The only question is whether she will come home equipped to succeed: with a job to support her family (and pay taxes); having received proper, gender-specific treatment for addiction and trauma⁸; after working on parenting skills and having had a chance to spend time with and rebuild her relationship with her children and family; whether she will come home with educational advancement and modern vocational training; and whether she will return with the life skills necessary to navigate daily life and its challenges. In sum, will the women be coming back as broken as when they went in (or perhaps even more so) with all the attendant social costs both to them and to the next generation⁹, or will they be returning home more whole and more able to lead productive and healthy lives?

Maryland's incarcerated women are coming home one way or another; it is up to this Committee to decide whether it is worth spending money to be sure they come home as fully engaged citizens. WDC believes that it is.

We ask for your support for SB0682, SB0683, and SB0684 and strongly urge a favorable Committee report on all three bills.

Respectfully,

Diana Conway
President

⁶ <https://www.montgomeryschoolsmd.org/uploadedFiles/departments/facilities/construction/DOCConsCostSF.pdf>.

⁷ The average cost per incarcerated woman at MCI-W is \$49,464. The average cost per resident at Eastern Prerelease is \$35,255; at Southern Maryland Prerelease the cost is \$34,222; at Baltimore City Correctional Center, the cost per resident is \$30,977.

⁸ Women are more likely enter prison with trauma and addiction issues. <http://www.wpaonline.org/resources/quick-facts>

⁹ Adverse childhood experiences (ACEs) include verbal, physical, or sexual abuse, as well as family dysfunction (e.g., **an incarcerated, mentally ill, or substance-abusing family member**; domestic violence; or absence of a parent because of divorce or separation). ACEs have been linked to a range of adverse health outcomes in adulthood, including substance abuse, depression, cardiovascular disease, diabetes, cancer, and premature mortality.

<https://www.cdc.gov/mmwr/preview/mmwrhtml/mm5949a1.htm>

MarylandNOW_FAV_SB 684

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Position: FAV



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.

Maryland NOW [National Organization for Women – Maryland] contacts:

Sandy Bell, President, (240) 463-5855;

Linda Mahoney, President Emerita, (301) 648-5484

RhudyPrisonMinistry_RebeccaGardner_FAV_SB 684.pdf

Uploaded by: rpm, rpm

Position: FAV

TESTIMONY IN SUPPORT OF SB682, SB683, & SB684

To: Chairman William Smith and Members of the Senate Judicial Proceedings Committee

From: Rebecca Gardner-Rhudy Prison Ministry Volunteer

Date: 2/26/2020

Dear Chairman and members of the committee:

I urge you to give a positive report to SB682,683, & 684, which would mandate for incarcerated women the same reentry services that are available to incarcerated men.

Pre-release programs can help returning citizens successfully reenter the community, thereby reducing the likelihood of recidivism and sparing society the cost of repeated criminal behavior. In the long run pre-release programs save money, make our communities safer as these services provide essential support for individuals who have been "put away" and are now in need of help in putting their lives back together as they try to enter our communities in a constructive manner.

As the name suggests "correction" of undesirable behavior is a primary objective of the Department of Public Safety and Correctional Services. It is fair and civil to give people some help in finding a job, finding housing and medical services and remaking their life so that they are encouraged to exhibit corrected behavior after they have completed their time of punishment.

In order for an incarcerated person to make the challenging transition from prison culture to the outside community they need support and pre-release programs can supply some of this vital support. As a Quaker who volunteered in prison ministry for nine years, I can attest to the importance of support for a person making the transition from prison community to the outside community. I and my fellow volunteers have witnessed the benefits that pre-release programs provide our guys and we are most grateful for all the state-sponsored and non-profit programs that have helped them acclimatize to the changing outside world.

There are presently zero reentry service centers for women. How can there be over 8 such facilities for men and none for women in Maryland when pre-release preparation is such a pivotal time in their lives?

Please consider a positive report for SB682,683, & 684 which would provide much needed pre-release services to women who are about to have a chance at a new life.

Thank you for all your hard work on behalf of the citizens and communities of Maryland.

God bless us all.

Sincerely,
Becca Gardner-Rhudy
Darlington Maryland

Senator Washington_FAV_SB684

Uploaded by: Senator Washington, Senator Washington

Position: FAV

MARY L. WASHINGTON, PH.D
Legislative District 43
Baltimore City

Education, Health, and
Environmental Affairs Committee

Chair
Joint Committee on Ending
Homelessness

Chair
Joint Committee on Children,
Youth, and Families



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SUPPORT – HB 608/SB 682
Correctional Services – Prerelease Unit for Women – Requirement to Operate
SUPPORT – HB 828/SB 683
Corrections – Women’s Prerelease Unit – Requirements
Women’s Prerelease Equity Act
SUPPORT – HB 801/SB 684
Correctional Services – Prerelease Unit for Women – Facilities and Services
Gender-Responsive Prerelease Act

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

For several years now, I have been working with advocates and impacted women to call on the State of Maryland to fulfill the need for gender equity in prerelease services and to ensure that incarcerated women have access to the services and facilities needed for successful reentry. Maryland currently operates several standalone prerelease and minimum-security facilities for men who are transitioning back into their communities, but none for women with the same status. The package of legislation, including SB 682, 683, and 684 is our opportunity to fix this inequity and provide access to the opportunities incarcerated women deserve for successful reentry and to address the increasing rate of recidivism.

In 2009, Maryland closed the state’s only women’s prerelease facility, which was being operated in Baltimore City, and relocated prerelease services to MCIW. The current resources and services offered there are the bare minimum and the facility itself is not conducive to proper prerelease activities. **SB 682** simply requires the Commissioner of Correction to operate a women’s prerelease unit. The change of this one word from “may” to “shall” will ensure that, regardless of state leadership, women are promised the same opportunities as men to build prosperous lives in their communities and with their families after incarceration. It is also important to note that Maryland’s failure to operate a standalone women’s prerelease unit means that we are in violation of equal protections laws – adding to the urgency of addressing this inequity.

However, we know that best practice is to have a separate, stand-alone facility, and it’s time we implement those best practices. The only prerelease services currently being offered to women by the Maryland Department of Public Safety and Correctional Services (DPSCS) are at the Maryland Correctional Institution for Women (MCIW). MCIW houses all security levels: Maximum, Medium, Minimum, Prerelease and Work Release. This setting is not compatible for the effective operation and delivery of prerelease services and impacted women have described in detail how the current setting fails to meet their needs. **SB 683**, the Women’s Prerelease Equity Act, defines a

“pre-release unit for women” as a separate structure that has security features for female inmates who meet specific security status requirements and provides specific services. The bill also requires that the facility be located in an area, defined by zip codes, where the largest percentage of female inmates are likely to be released. This provision is designed to promote community-based pre-release practices where previously mentioned services and resources are accessible, where public transportation is available, where inmates can reconnect with family members, and where outside service providers can more easily partner with the facility. The third provision of the bill explicitly allows women in this pre-release facility to have access to the community for a specific list of purposes, including employment, education, community activities, volunteer work, athletics, special leave, compassionate leave, or personal and family visits. Again, community-based pre-release would provide opportunities for women to reconnect with family members, access workforce development, obtain jobs they can keep post-release, access longer term addiction and mental support, obtain drivers licenses, and access many other resources aligned with their individual reentry plans.

SB684, the Gender-Responsive Pre-release Act, amends the services detailed in the law that the Commissioner shall provide to reflect the need for comprehensive “evidence-based” and “innovative” programs and practices that are aligned with best practices and are gender responsive. Gender-responsive is really meant to say that these services need to be aligned with the needs of the women in pre-release. For example, as many as 75% of incarcerated women are the primary caretakers of children, and 42% of mothers in state prisons nationwide may be single parents. Given these different needs, we need to ensure the facilities are providing the correct services and support for women who will likely plan to return to caregiving roles post-release. With the addition of these specified services and partnerships with community providers, incarcerated women will have the ability to engage in services that will empower them to transition back into their communities smoothly and with the support needed for long-term success. This will benefit them, their families, and their communities.

This package of bills is the culmination of years of work, study, and advocacy and will effectively address the urgent need for the State of Maryland to establish a dedicated women’s pre-release facility. The number of women incarcerated in state prisons remains stagnant, while the number of incarcerated men is falling. It’s time to put an end to this inequity by fully investing in the right services that ensure that women can lead prosperous lives after incarceration. We stand firm on fighting for equity for these incarcerated women, for setting a precedent that they don’t deserve less, and for providing a legal and institutional guarantee that, regardless of whomever is in power, these rights are enshrined for women.

Thank you for your time and I urge you to issue a favorable report on Senate Bill 682, 683, and 684.

In Partnership,



Senator Mary Washington, PhD

SB#684_FAV_WomensLawCenterofMD

Uploaded by: siri, michelle

Position: FAV

BILL NO: Senate Bill 684
TITLE: Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender-Responsive Prerelease Act)
COMMITTEE: Judicial Proceedings
HEARING DATE: February 26, 2020
POSITION: **SUPPORT**

Senate Bill 684 imposes sweeping and necessary reform upon the Department of Public Safety and Correctional Services as it relates to prerelease services for women. The Women's Law Center supports SB 684 as good public policy in responding to the growing disparate treatment of incarcerated women.

Over the past quarter century, there has been a profound change in the involvement of women within the criminal justice system. This is the result of more expansive law enforcement efforts, stiffer drug sentencing laws, and post-conviction barriers to reentry that uniquely affect women. The female prison population stands nearly eight times higher than in 1980. More than 60% of women in state prisons have a child under the age of 18¹. Women in state prisons are more likely than men to be incarcerated for a drug or property offense, yet less is being done to address their unique needs.

The Women's Law Center supports reform measures to address the unique needs and challenges incarcerated women face in Maryland. This includes addressing education, job-readiness, mental health, and substance abuse needs, as well as developing comprehensive reentry plans to reduce barriers to housing, child care, and case management, and other basic needs. SB 684 would support such measures.

The Women's Law Center of Maryland supports the rights and dignity of all women, including those who are currently incarcerated. Therefore, the Women's Law Center of Maryland, Inc. urges a favorable report on Senate Bill 684.

The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change. The Women's Law Center operates two hotlines, Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County, the Collateral Legal Assistance for Survivors Project, and the Multi-Ethnic Domestic Violence Project.

¹ The Sentencing Project, Incarcerated Women and Girls:1980-2016, <https://www.sentencingproject.org/wp-content/uploads/2016/02/Incarcerated-Women-and-Girls-1980-2016.pdf?eType=EmailBlastContent&eId=12d509dd-a247-4f77-a4f8-6d0fdb0cd6e>

UBLaw_FAV_SB 684

Uploaded by: university of baltimore, university of baltimore

Position: FAV

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 684
TITLE: Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender-Responsive Prerelease Act)
COMMITTEE: Judicial Proceedings Committee
HEARING DATE: February 26, 2020
POSITION: SUPPORT

Senate Bill 684 would require the Commissioner of the Division of Corrections to provide a comprehensive rehabilitative prerelease facility for female inmates who are within two years of their release date. The Human Trafficking Prevention Project at the University of Baltimore School of Law supports this bill because it will assist female inmates, many of who have, at some point in their lives, survived human trafficking, with access to programs and services that will reduce their rate of recidivism and the chance they will experience additional exploitation at the hands of a trafficker.

Maryland closed the only prerelease facility for female inmates in 2009, while male inmates have up to five facilities operating for prerelease inmates. This separate and unequal policy has resulted in female inmates being denied access to prerelease services, or only having the ability to access them in programs that cater to both male and female inmates. As the Baltimore Sun said in its editorial on the absence of women’s pre-release facilities in Maryland, “There are no more excuses for prison systems to ignore women or lump them in with men, especially now, when, sadly, women make up more of the prison population than they once did.”¹ The lack of gender-specific prerelease options becomes even more problematic when considering that many of the women are parents and need family reunification programs and parenting classes in order to have their children returned to their care. Maryland needs to provide a safe and accommodating place for these female inmates to get the help they need that is gender-specific and strengths-based in nature.

These challenges carry with them additional risks for survivors of human trafficking. Given that isolation, addiction, and poverty often directly precede an individual’s trafficking experience, it makes sense that again lacking the resources they need to survive following their release from incarceration would increase a survivor’s risk of re-exploitation. Survivors often need counseling and job training/GED services to reduce the likelihood that they will re-offend² or return to their trafficker. Failing to provide female inmates with the tools they need to become self-sufficient after their release from prison only serves to contribute to a never-ending cycle of poverty, stigma, and recidivism that, for sex trafficking survivors, almost certainly includes a return to the underground economy and increases the likelihood of re-exploitation.

¹ Editorial, *Incarcerated Women Need More Services to Transition Back into Maryland Society*, BALT. SUN (Feb. 11, 2020), <https://www.baltimoresun.com/opinion/editorial/bs-ed-0212-women-incarcerated-20200211-p2xj2p3vgrhyzo3tafnvlfkupa-story.html>.

² Bureau of Justice Statistics, *2018 Update on Prisoner Recidivism: A 9-Year Follow-Up Period (2005-2014)* (May 2018) (finding that since 2005, 77% of non-violent female former inmates across 30 states were rearrested at least once over the course of nine years since their initial release).

In recent years, Maryland has shown its strong support for remedying the impact a deeply flawed criminal legal system has on the ability of its citizens to escape poverty and lead productive lives. Criminalized survivors of trafficking suffer similarly if they are unable to obtain to become self-sufficient after their release, as they too struggle with being unable to obtain safe housing and gainful employment. The inability to access these resources in a prerelease facility designed to support the unique needs of formerly incarcerated women makes them more vulnerable to future victimization, especially by a trafficker. Traffickers know that women in prison often lack the resources they need to survive after they are released, and they use this information to target these women and exploit them. These consequences carry with them the additional risk of continued exploitation by a trafficker or the inability to exit the commercial sex trade. **Formerly incarcerated women in Maryland deserve the chance to thrive.**

Senate Bill 684 would remedy this by creating a space strictly for female inmates, many whom are survivors of human trafficking. For these reasons, the Human Trafficking Prevention Project at the University of Baltimore School of Law supports Senate Bill 684. We respectfully urge a favorable report.

Maryland Catholic Conference_FAV_SB684

Uploaded by: Wallerstedt, Anne

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 26, 2020

SB 684

Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender-Responsive Prerelease Act)

Senate Judicial Proceedings Committee

Position: Support

The Maryland Catholic Conference (“Conference”) represents the public policy interests of the three Roman Catholic (arch)dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington.

Senate Bill 684 requires that the Commissioner of the Division of Correction operate a prerelease center for women in the state that is comprehensive and rehabilitative in nature, with its services evidence-based and gender-responsive.

It is imperative that all men and women have appropriate access to prerelease services to be able to successfully reenter their communities. Factors such as family reintegration, job or vocational training, and affordable housing are crucial to a person’s productive return, replacing the isolation of confinement with more positive supports. The combination of such factors ultimately leads to lower recidivism rates and better involvement in a person’s family and community life.

Women in particular are woefully underserved by prerelease centers in Maryland. Some centers, such as the Baltimore Prerelease Center for Women, have closed. There is currently an inadequate proportion of prerelease centers for women compared to the number that men have access to. This is an injustice to the future success of women in Maryland to have productive futures once they are released, especially as women often have unique needs to be addressed before returning to their communities.

While the Conference supports the creation of more prerelease centers for women, it also urges that these centers be placed throughout the state in areas that are near and easily accessible for those returning home, so that they may begin to readjust to life back in their own communities.

The Conference appreciates your consideration and, for these reasons, respectfully requests a favorable report on Senate Bill 684.

WISE_VanessaBright_FAV_SB684

Uploaded by: WISE, WISE

Position: FAV

I Support Equitable Pre-release Services for Maryland's Women

We, the undersigned, support a state-run, stand-alone pre-release center for Maryland's incarcerated women. As evidenced by the facts below, treating women's incarceration as an afterthought has held back Maryland's efforts to reduce recidivism and incarceration costs:

- The number of women incarcerated in state prisons remains stagnant, while the number of incarcerated men is falling.
- Women need reentry support for the sake of their families: 75% of incarcerated women are primary caretakers of children, and 42% of mothers in state prisons may be single parents.
- Pre-release facilities can prepare women to reintegrate back into society by providing access to job training, employment, community resources, and comprehensive re-entry planning assistance within a less restrictive and safe environment.
- The state currently operates ZERO dedicated pre-release facilities for women, while operating several for men.
- Women at the Maryland Correctional Institution (MCI-W) express fear for their safety as they try to focus on reentry planning. This fear is justified given they are housed alongside individuals who are classified as maximum security. Additionally, the inmate assault rate at MCI-W is greater than the assault rates at both of the state-run pre-release facilities for men.
- Women at MCI-W report that they do not feel prepared for their release due to a lack of support in planning for housing, employment, and other re-entry needs.
- The per-capita cost for housing a woman at MCI-W is over 13k more per year than the cost of housing a man at one of Maryland's stand-alone pre-release facilities for men.
- The Maryland General Assembly's Task Force on Re-entry (2011) emphasized the importance of supporting individuals in creating a comprehensive reentry plan and re-locating them to a separate facility several months prior to their release "where they would be closer to family and community resources that can provide them with important assistance."

The Maryland Legislative Task Force on Reentry and independent researchers have all come to the same conclusion: relocating individuals to a community-based setting in the months prior to their release and providing them with comprehensive services increases the likelihood that they will successfully re-enter their communities and avoid future contact with the legal system.

I support Out for Justice and their partners in their call for equitable pre-release services for women in Maryland. We, therefore, urge members of Maryland's General Assembly to pass HB0608 (SB0682), HB 0828 (SB0683), and HB 0801(SB9684).

Sincerely,

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