



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

House Bill 0608 – Correctional Services – Prerelease Unit for Women - Requirement to Operate

House Bill 0828 – Correctional Services – Prerelease Unit for Women – Requirements (Women's Prerelease Equity Act)

House Bill 0801 – Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender Responsive Prerelease Act)

House Judiciary Committee – February 18, 2020 (HB608)

House Judiciary Committee – February 25, 2020 (HB828 & HB801)

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 HB0608 and its companion bills HB0828 and HB0801. 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/>



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- 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 and 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/>



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\$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 HB0608, HB0801, and HB0828 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>