



SB0255 - Correctional Services - Pregnant Incarcerated Individuals

Presented to the Honorable Will Smith and Members of the Senate Judicial Proceedings Committee

February 6, 2020 1:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Senate Judicial Proceedings Committee to issue a **favorable (or unfavorable) report on SB0255 - Correctional Services - Pregnant Incarcerated Individuals**, sponsored by Senator Chris West.

Our organization is an advocate for reproductive health, rights, and justice. We work to guarantee each individual's freedom to decide if, when, and how many children to have. Incarcerated and detained pregnant women and girls are among the population of Marylanders we support.

We recognize the current era of mass incarceration has made countless women living behind bars vulnerable to violations of their reproductive freedom. In the reality of our existing male-centered corrections system, women are frequently lacking multiple systems of healthcare specific to their reproductive systems. Within Maryland, 29 out of every 100,000 women within the population are incarcerated, with a disproportionate number being women of colorⁱ. Recently, there has been heightened awareness of the needs of those entering the system while pregnant, many of which had not received any pregnancy-related healthcare before arrest or conviction.

SB0255 seeks to build on the important legislation pass in 2018, requiring every correctional and detention center in the state to develop written policies regarding available pregnancy-related healthcare and to present a copy to any inmate or detainee, adult or juvenile, a copy of that policy to encourage self-advocacy and increased awareness of one's rights and available services. The goal is to promote positive maternal health outcomes. Our organization supports SB0255 as we feel strongly that every pregnant individual entering the system should at least be provided a health assessment about viability regarding the pregnancy as well as identify any concerns that may result in attention needed to manage a high-risk pregnancy while inside. This assessment should also include the offer appropriate screenings to the pregnant individual for mental health and substance use disorder issues. It is in the best interest of both the pregnant individual and the facility which is entrusted with her care to be knowledgeable about any health issues so that timely medical care can be obtained when needed. Primary providers can assist in medication access necessary to a healthy pregnancy, for example blood pressure-controlling medications. Gestational hypertension leading to pre-eclampsia and eclampsia can be fatal for the pregnant person if not treated as soon as possible.

Incarceration is not without stressors, and with little access to adequate obstetric care, coupled with a lack of access to healthcare upon release, the system is contributing to poor outcomes if it does not do more. If an

individual leaving the system is still pregnant, it will be vital to ensuring a positive maternal health outcome that proper case management occur for that person to be connected to healthcare providers in the community in which is she is returning, related to pregnancy, and if the needs are identified, also mental health or substance use disorder. The experience of incarceration should not include poor maternal health outcomes of wanted pregnancies, such as fetal demise or infant death, when such adverse medical events could have been avoided with timely intervention. Legislating these processes will ensure that contracts facilities have with medical providers and facility policies related to pregnancy-related healthcare and services will reflect these smart risk management protocols.

For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0255**. Thank you for your time and consideration.

¹ The Sentencing Project. "Incarcerated Women and Girls." November 2015. <https://www.sentencingproject.org/wp-content/uploads/2016/02/Incarcerated-Women-and-Girls.pdf>