



[www.marylandwomen.org](http://www.marylandwomen.org)

# Maryland Commission for Women

A Commission of the Maryland Department of Human Services

51 Monroe Street, Ste. 1034 – Rockville, Maryland 20850  
[www.marylandwomen.org](http://www.marylandwomen.org)

February 22, 2023

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The Honorable William C. Smith, Jr., Chair  
The Honorable Jeff Waldstreicher, Vice Chair  
Senate Judicial Proceedings Committee  
Miller Senate Office Building – 2 East  
Annapolis, Maryland 21401

RE: SB 0759 - Prevention of Forced Infant Separation Act

Dear Senator Smith, Senator Waldstreicher and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission for Women (MCW) urges support of Senate Bill 0759 which would permit an incarcerated woman who is either pregnant or recently gave birth to transfer to the prerelease unit for women and will establish the Healthy Start Bonding Program to promote the development of healthy relationships between incarcerated women and their children.

The MCW was established in 1965 and was set in state law in 1971. An office of the Department of Human Services, the Commission is a 25-member advisory board whose duties outlined in its enabling legislation include:

- Study the status of women in our state.
- Recommend methods of overcoming discrimination.
- Recognize women's accomplishments and contributions.
- Provide informed advice to the executive and legislative branches of government on the issues concerning the women of our state.

It is to fulfill this mandate that the Commission writes to you today.

An average of 4 to 8% of incarcerated women are pregnant during their incarceration. Incarcerated pregnant women are at a higher risk for prenatal complications and preterm births. Additionally, pregnant women often enter our correctional system with multiple sociocultural factors that contribute to detrimental social and health outcomes for themselves and their babies upon release.

Maryland Commission for Women

Re: SB 0579 Prevention of Forced Infant Separation Act

Page 2

During the period of incarceration, Maryland's correctional system has a unique opportunity to address issues, including facilitating strong bonding of the infants with their mothers and incentivizing the mothers to comply with requirements that permit them to remain with their child in the prerelease unit. This bill requires the Division of Correctional Services to allow liberal visitation for the father or secondary caretaker with a pregnant incarcerated woman or a woman in post-delivery. In addition, this bill will give our state correctional system the means to provide services aimed at improving potential mental health issues that can arise from the separation of mother and child during periods of incarceration.

This bill will undoubtedly improve health and mental health outcomes when new mothers leave prison and re-enter society. Therefore, we strongly urge your support for SB 0759.

With very best regards,

A handwritten signature in black ink, appearing to read "Tawanda Bailey". The signature is fluid and cursive, with the first name being more prominent than the last.

Tawanda Bailey, Chair  
Maryland Commission for Women

*Please note that the positions expressed in this letter are those of the Maryland Commission for Women and do not necessarily reflect the position of the Governor or the Department of Human Services.*