



Maryland
Justice
Project

2/17/2023

Dear Chair Clippinger and Members of the Judiciary Committee,

My name is Ava Levine, and I am an advocate working with Maryland Justice Project and a student at Johns Hopkins University. I am a resident of District 43A. **I am writing today in support of HB523, The Prevention of Forced Infant Separation Act.**

I began working at Maryland Justice Project in April 2021. Over the course of my nearly two years working there, I have had the fortune of speaking with and learning from several previously incarcerated women in this state. Again and again, the most prominent theme of our conversations has been family separation. I have spoken with women who have given birth while incarcerated, had their babies taken away from them almost immediately upon birth, and spent the rest of their incarceration in mental distress. I have also spoken with women who after being sentenced, had few opportunities to see their children while in prison, thereby creating devastating physical and emotional separations from their children. I am sure many of the members on this committee are proud parents. I ask, how would it feel for you to be separated from your child? Wouldn't it be emotionally devastating?

There is an easy fix to this inhumane problem. At least 16 states operate some type of a nursery program, in which incarcerated mothers have increased access to their children.¹ These programs have demonstrated success, and provide an opportunity for Maryland to model our own program. Opening such a program in Maryland will provide invaluable benefits. Beyond the immediate biological benefits of keeping women and their newborns together, including skin-to-skin contact and breastfeeding, the program would also allow mothers to develop their parenting skills and greater bonds to be formed between women and their babies. Because many incarcerated women are also the primary caretakers to their children, this bill will also keep their babies from entering foster care in the case that they have no family members who can care for their newborns.

I understand there may be concerns that a Women's Pre-release Facility has not been built yet, and therefore there is nowhere currently to house the nursery for women and their newborns to remain together. While I understand how this may seem initially troubling, this is actually a great advantage for the state. Advocacy organizations including Maryland Justice Project and Out For Justice have been leading the fight to build the Women's Pre-Release Facility for years. With new leadership at the head of Maryland, we are hopeful that work on the facility will begin promptly. As the state begins construction on the facility, this bill will ensure that a nursery is a part of the initial construction process, rather than a later addition that is likely to get delayed. Including a nursery program as part of the initial construction process will ensure that proper attention and funding is given to this program.

Simply put, separating mothers from their children is inhumane. There is a clear legislative solution: allowing mothers and their newborn babies to remain together in a family-friendly program. This is an opportunity for Maryland to be on the right side of history. **For these reasons, I urge the committee to issue a favorable report on HB523, The Prevention of Forced Infant Separation Act.**

Sincerely,

Ava Levine
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