



THE SENATE OF MARYLAND
Annapolis, Maryland 21401

Testimony of Senator Jill P. Carter
In Favor of SB0071 – Correctional Services – Pregnancy and
Postpartum Support (Prevention of Forced Infant Separation Act)
Before the Judicial Proceedings Committee
On February 7th 2024

Mr. Chairman, Vice Chair, and Members of the Committee:

Senate Bill 0071 will establish space at the upcoming pre-release facility for women who give birth while incarcerated to remain with their newborn up to one year postpartum. This bill will also establish a Healthy Start Bonding Program to facilitate relationships between mothers and their children.

I believe that this bill is a crucial step towards ensuring that incarcerated pregnant women receive the direct healthcare and postpartum support they need.

Under current Maryland law, a pregnant woman may be granted parole, a reduced sentence, or an alternative residential setting for pregnancy, however after birth they should return to a facility dependent on health. This bill will provide pregnant women with an alternative residential setting for up to one year postpartum.

According to Maryland Matters, “In 2020, 10% of women housed at Maryland Correctional Institution for Women were pregnant and 65% of these pregnancies ended in a live birth”. The protocol at the Maryland Correctional Institution for Women and other institutions in the state are that women who enter the facility and stay long enough to give birth are only permitted to remain with their newborn between 24 to 48 hours after birth for a standard vaginal delivery.

Due to this protocol, infants born to incarcerated women are either placed with a secondary caregiver or entered in the foster care system. Based on research it’s proven that separating newborns from their mothers can have lifelong developmental concerns. Separated newborns at birth are more likely to have mental health issues, end up in foster care, and drop out of school in the future. Women who are separated from their newborns are at a higher risk of postpartum depression, feeling extreme powerlessness, and grief and feelings of detachment after the separation. This bill would allow pregnant women to have the ability to form strong bonds with their newborns which is essential for the health of the mother and newborn.

As such I urge this committee to issue a favorable report on SB0071. Thank you for your time.

Respectfully,

Senator Jill P. Carter