



BRANDON M. SCOTT  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**HB0191**

February 27, 2024

**TO:** Members of the House Judiciary Committee

**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations

**RE:** HB 191 - Correctional Services - Pregnancy and Postpartum Support  
**Prevention of Forced Infant Separation Act**

**POSITION: FAVORABLE**

Chair Clippinger, Vice Chair Bartlett, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 191.

This legislation calls for the establishment and implementation of a "Healthy Start Bonding Program" (Program) under Maryland's Department of Safety and Correctional Services (DPSCS). Via this Program, pregnant and postpartum women incarcerated in DPSCS custody may be temporarily re-classified and relocated to the Prerelease Unit. Women could stay for the duration of pregnancy and up to one year postpartum. Their baby would be allowed to reside with them in the Prerelease Unit for that year, and fathers (or another secondary caretaker) would have increased opportunities to visit their babies residing at the Prerelease Unit.

Pregnant incarcerated people typically give birth in a hospital, where they stay for varying lengths of time, depending on medical conditions and room availability. When they are discharged from the hospital after giving birth, they return to jail/prison without their baby, while the baby is placed with relatives or in foster care.<sup>i</sup> This separation has negative, potentially life-long, ramifications for the health of the incarcerated parent and infant.<sup>ii</sup> Research shows that keeping incarcerated mothers and children connected increases positive behavioral, emotional, and health outcomes for both the parent and child.<sup>i</sup> Families thrive with stability and connectedness; a strong bond between a mother and her baby is less likely to form if separated. This bill will even impact the state and correctional facilities positively, as keeping incarcerated mothers and their infants together has been shown to reduce correctional costs.<sup>iii</sup>

Ultimately, alternatives to incarceration, such as community-based supervision, would be most effective toward keeping families together and promoting healthy communities.<sup>iv</sup> However, allowing incarcerated parents and their babies to remain together in Prerelease Unit is an important next-best step.

Keeping families together via the proposed program will facilitate family cohesion, thereby improving health and social outcomes for mothers and infants and ultimately strengthening Maryland's communities. For these reasons, the BCA respectfully requests a **favorable** report on HB 191.

<sup>i</sup> Virtual Mentor. 2013;15(9):779-785. doi: 10.1001/virtualmentor.2013.15.9.pfor2-1309.

<sup>ii</sup> Annie E. Kasey Foundation. (2016). A shared sentence. Retrieved from <https://assets.aecf.org/m/resourcedoc/aecf-asharedsentence-2016.pdf>

<sup>iii</sup> Snyder, Z. (2009). Keeping Families Together: The Importance of Maintaining Mother-Child Contact for Incarcerated Women. *Women & Criminal Justice*, 19(1), 37-59. DOI:10.1080/08974450802586869

<sup>iv</sup> The Opportunity Agenda. (2006). "Keeping Families Together." Accessed via <https://transformingthesystem.org/criminal-justice-policy-solutions/fostering-an-environment-for-respecting-childrens-rights/keeping-families-together/>