

HB 191 - WLCMD - FAV.pdf

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Position: FAV

BILL NO.: House Bill 191
TITLE: Correctional Services - Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)
COMMITTEE: Judiciary
DATE: February 27, 2024
POSITION: **SUPPORT**

House Bill 191 would create the Healthy Start Bonding Program within the Maryland correctional system which would allow women who are on pre-release status who have recently given birth to reside with their child in the prerelease unit for up to one year following the birth of the child. Because the Women's Law Center (WLC) believes that keeping families together whenever possible is in the best interest of children, families, and our society at large, we are in favor of HB 191.

Across the country, there has been a disturbing gender disparity in recent prison population trends. While recent reforms nationally have reduced the total number of people in state prisons since 2009, almost all the decrease has been among men. Women are being incarcerated at a significantly higher rate than men, with the number of women in Maryland prisons having increased by over 400% over the past 40 years¹. Pregnant women who go into labor while incarcerated in a Department of Public Safety and Correctional Services (DPSCS) correctional facility are transported to a hospital but are required to return to their facility as soon as they are discharged. For a standard vaginal delivery, this is generally 1-2 days after giving birth. This means that most incarcerated women have less than 48 hours with their newborns before the baby is forcibly separated from the mother.

Research suggests that the first year is one of the most important in an infant's life, as it is a time of significant physical, cognitive, and social development. This means that when babies are forcibly separated from their parents just days after birth, there can be lifelong developmental consequences. Not only does separation immediately cause a permanent increase in a baby's stress levels, but separated babies are more likely to develop post-traumatic stress and substance use disorders as adults. For mothers, the psychological consequences of forced separation can be just as severe. Further, if the mother is the sole or primary caretaker of the child – like the majority of incarcerated mothers - the separation can become permanent as child protective services and the foster system becomes involved.

Ultimately, allowing incarcerated new mothers the ability to remain with their newborns will help the hidden victims of crime, namely the children left behind. As such, the WLC urges a favorable report on HB 191.

The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.

Delegate Mireku-North Testimony in Support of HB19

Uploaded by: Bernice Mireku-North

Position: FAV

BERNICE MIREKU-NORTH, ESQ.
Legislative District 14
Montgomery County

Ways and Means Committee

Subcommittees

Early Childhood

Local Revenues



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of House Bill 191: Correctional Services - Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)
February 27th, 2024**

Chair Clippinger, Vice Chair Bartlett, and esteemed members of the Judiciary Committee, it is my pleasure to come before you today to offer testimony in favor of **House Bill 191: Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)**. This bill seeks to promote stronger bonds between incarcerated mothers and their children, while changing the current practice of separating mothers from their newborns immediately after birth in Maryland prisons.

Currently, when an incarcerated woman goes into labor, she is taken to the hospital for her delivery but must return to the Department of Corrections as soon as she is discharged without her newborn child. This practice is not only inhumane but also severely detrimental to the well-being of both the mother and the child.

The Prevention of Forced Infant Separation Act would change this practice by allowing pregnant women and women who recently gave birth to transfer to the prerelease unit for the duration of their pregnancy and for up to one year post-childbirth, so long as they qualify for prerelease status. The legislation also enables liberal visitation for fathers and secondary caregivers, which helps to further promote strong family bonds. Additionally, the bill establishes a Healthy Start Bonding program, an evidence-based initiative designed by healthcare professionals to nurture strong bonds between mothers and their newborns.

Thirty years ago, the 1989 United Nations Convention on the Rights of the Child noted “in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” In 2007, UNICEF further emphasized that infants should not be separated from their mothers due to incarceration because it violates their fundamental right to family life. The United States is one of only four nations (also the Bahamas, Liberia and Suriname) that routinely separate incarcerated mothers from their newborns. It is beyond time that Maryland brings their treatment of incarcerated mothers in line with international standards.

While there is still work to be done on considering who should qualify for this prerelease status and how best to promote the depth of bonding between incarcerated mothers and their children, the heart of this bill lies in ensuring that mothers and their children can remain together after birth.

Research has consistently shown that forcible separation has debilitating physical and mental consequences for both the infant and the mother that can last for years – even generations. Separated babies are known to be much more likely to have [behavioral issues, end up in foster care, and drop out of school](#). Mothers separated from their infants are much more likely to develop [postpartum depression](#) and report extreme feelings of [powerlessness, grief and detachment after the separation](#).

Mother-Baby Units, such as the one being proposed, have also had [a proven track record of reducing recidivism among participating women](#). In a study at Columbia University, researchers found that of the women who participated in a Mother-Baby Unit program only 4.3% returned to prison for a new offense and 9.4% returned to prison for a parole violation. In comparison, 8.9% of women released from the general prison population returned to prison for a new crime, while 20.4% returned for a parole violation.

This bill changes from last year in that it will come into effect once the prerelease unit for women has been fully established. It is, however, imperative that we pass this legislation now, so that the prerelease unit can be built to accommodate this program. Now is the time to pass **HB191** to support pregnant incarcerated women and their children for the public health and safety of our state. I urge a favorable report on **House Bill 191**.

Bernie Mirkin-Booth

DOC Inmates - Pregnancy Records and Status Revised

Uploaded by: Bernice Mireku-North

Position: FAV

Department of Corrections - Records on Pregnant Inmates and Security Level Status

Division	Pregnant Year	SECURITY_LEVEL
DOC	2019	Pre Release
DOC	2019	Pre Release
DOC	2019	Maximum
DOC	2019	Medium
DOC	2019	Pre Release
DOC	2019	Medium
DOC	2019	Medium
DOC	2019	Maximum
DOC	2019	Minimum
DOC	2019	Pre Release
DOC	2019	Medium
DOC	2019	Pre Release
DOC	2019	Medium
DOC	2020	Minimum
CDF	2020	Medium
DOC	2020	Pre Release
DOC	2020	Medium
DOC	2020	Maximum
DOC	2020	Medium
DOC	2021	Maximum
DOC	2022	Medium
DOC	2022	Pre Release
DOC	2022	Medium
DOC	2022	Pre Release

WDC 2024 Testimony_HB191_FINAL.pdf

Uploaded by: Beth Tomasello

Position: FAV



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

**House Bill 191 - Correctional Services - Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)
Judiciary Committee – February 27, 2024
FAVORABLE**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2024 legislative session. WDC is one of the largest and most active Democratic clubs in our state with hundreds of politically active members, including many elected officials.

WDC urges the passage of HB0191. This legislation allows women who give birth while in pre-release status to keep their newborns with them for one-year postpartum. HB0191 is patterned after Minnesota's [Healthy Start Act](#), a first-in-the nation law, passed on a bi-partisan basis, that allows an incarcerated woman to be placed in a community-based setting with her baby for the first year of the baby's life. Separation of infants from their mothers during the first year of life is bad for the baby and the mother. HB0191 is good policy and should be passed without delay.

Pregnant Women in Maryland's Jails and Prison: Pregnant women who go into labor while incarcerated in a Department of Public Safety and Correctional Services (DPSCS) correctional facility are transported to a hospital but are required to return to their facility as soon as they are discharged¹. For a standard vaginal delivery, this is generally 1-2 days after giving birth². Most incarcerated women have less than 48 hours with their newborns before the baby is forcibly separated from them. Women who are pregnant and give birth while in prerelease status are in the final 18 months of their sentences.³ It makes no sense whatsoever to remove the baby from his or her mother, and potentially require the baby to enter the foster care system when the mother has so little time left on her sentence.

Forced Separation Leads to Negative Outcomes for Baby and Mother. Research suggests that the first year is one of the most important in an infant's life, as it is a time of significant physical, cognitive, and social development⁴. When babies are forcibly separated from their mothers just days after birth, there can be lifelong developmental consequences, because caregivers must be physically present and accessible for babies to become attached to them. Research has shown that maternal availability is particularly important in early childhood because of a baby's limited understanding of the reasons for maternal absence. Separation during

¹ <https://casetext.com/statute/code-of-maryland/article-correctional-services/title-9-state-and-local-correctional-system-inmates/subtitle-6-miscellaneous/section-9-601-pregnant-inmates>

² <https://www.acog.org/womens-health/faqs/a-partners-guide-to-pregnancy>

³ The Maryland Department of General Services (DGS) recently completed the Part I and Part II planning documents for the Women's Prerelease Facility mandated by the passage after executive veto of SB624, The Gender-Responsive Pre-Release Act. DGS cited DPSCS data that, as of 2022, the average time remaining on women's sentences when they enter pre-release status is 523 days, or nearly 18 months. Department of General Services, Project Program Part I, Life Skills and Re-entry Center for Women, Part I, Page 15.

⁴ <https://www.uofmhealth.org/health-library/hw251065>



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

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the first year of life may be a strong determinant of lifelong negative outcomes for the child. Studies examining the impacts of even minor separations of a week or more from a caregiver found adverse consequences associated with children's reading achievement by age 8.⁵ In addition to causing an immediate and permanent increase in a baby's stress levels, separated babies are more likely to develop post-traumatic stress and substance use disorders as adults⁶.

Mothers forcibly separated from their newborns are more likely to experience postpartum depression, feelings of extreme powerlessness, grief, and feelings of detachment, all of which will impede effective parenting when mother and baby are reunited. There is no good reason to impose these negative consequences on both baby and mother when the mother has so little time left to serve. HB0191 can break this negative cycle. Given the cost of foster care and the lifelong costs of remedying mother-infant separation, any marginally increased cost of the program during pre-release is money well spent.

Despite the rapid growth of the population of women in Maryland's prisons and jails, Maryland's carceral system has not adapted to a model that meets a child's need for the continued physical presence of their mother. HB0191 is a step in that direction.

We ask for your support for HB0191 and strongly urge a favorable Committee report.

Tazeen Ahmad
WDC President

Beth Tomasello
WDC Criminal Justice
Reform Subcommittee

Cynthia Rubenstein
Co-Chair, Advocacy

⁵ Kimberly Howard, Anne Martin, Lisa J. Berlin & Jeanne Brooks-Gunn (2011) Early mother-child separation, parenting, and child well-being in Early Head Start families, *Attachment & Human Development*, 13:1, 5-26, DOI: [10.1080/14616734.2010.488119](https://doi.org/10.1080/14616734.2010.488119)

⁶ <https://theconversation.com/a-sudden-and-lasting-separation-from-a-parent-can-permanently-alter-brain-development-98542>

HB0191_Correctional_Services_Prevention_of_Forced

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0191
Correctional Services
Prevention of Forced Infant Separation Act

Bill Sponsor: Delegate Mireku-North

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0191 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Currently, Maryland women who are incarcerated are only permitted to remain with their newborns until they are discharged from the hospital – typically 24 to 48 hours after birth for a standard vaginal delivery. Then the infant must either be placed with a secondary caregiver or enter the foster care system at just a few days old.

With the Prevention of Forced Infant Separation Act, pregnant women who are at pre-release status can relocate to the facility for the duration of their pregnancy and up to one-year postpartum. During that postpartum period, infants will be permitted to live in the facility with their mothers and have access to care specialized for their developmental needs. For women who are not eligible for pre-release, the bill allows increased visitation for infants and access to infant bonding programs.

The benefits of allowing an infant to be with their mother are infinite and life-long. As a mother, I cannot imagine the heartache and depression I would endure if my child were taken from me within hours of giving birth and possibly put into foster care. I cannot imagine the life-long impact on a child to be born into such uncertain conditions. Fyodor Dostoevsky wrote that “the degree of civilization in a society can be judged by entering its prisons.” Maryland cannot be judged well until it passes and enacts the Prevention of Forced Infant Separation Act.

MLC supports this bill and recommends a **FAVORABLE** report in committee.

HB0191 CMPC FAV.pdf

Uploaded by: Diana Philip

Position: FAV

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.

Testimony before the House Judiciary Committee

****Support****

HB0191 - Correctional Services – Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)

February 27, 2024

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform. CPMC **supports** passage of SB71: Correctional Services – Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act).¹

HB0191 would allow a pregnant woman who is in prerelease status to relocate to the prerelease unit for women throughout the duration of pregnancy. It would also allow a pregnant woman in prerelease status who has recently given birth and her infant to reside in the prerelease unit for up to one year following the birth of the child. The legislation would require the establishment of this program at the Maryland Correctional Institution for Women and would require that professionals with expertise in maternal and child health and well-being be consulted in the development of the program.

Mother infant bonding begins with the first contact between mother and infant following birth. Continued contact and interaction between mother and baby leads to long-term emotional attachment for mother and baby as well as infant social and emotional development. Separation between mother and baby inhibits this bonding process and increases the risk for insecure attachment. It also inhibits breastfeeding and all the benefits that come with breastfeeding. While we are not weighing in on the details or feasibility of establishing this program, we strongly support the concept and believe that whenever possible, we should find ways to keep infants with their mothers.

For these reasons we recommend a favorable committee report on HB0191: Correctional Services – Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act).

¹ Members of CMPC who support this legislation include Child Justice, Center for Hope, Fostering Change Network Foundation, Franklin Law Group, Maryland Children's Alliance, Maryland Coalition Against Sexual Assault, MOMCares, National Association of Social Workers - MD, and Diana Philip.

Maryland Catholic Conference_FAV_HB191.pdf

Uploaded by: Diane Arias

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

February 27, 2024

House Bill 191
Correctional Services - Pregnancy and Postpartum Support (Prevention of
Forced Infant Separation Act)
House Judiciary Committee

Position: Favorable

The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

House Bill 191 would require the Department of Correction to allow certain pregnant women and certain women who have recently given birth to transfer to the prerelease unit for women for a certain period of time, contingent on the establishment of a prerelease unit for women, in order to facilitate strong bonds between incarcerated women and their children.

The Conference supports programming focused on children and families impacted by incarceration and believes these specialized programs can make a positive impact in the lives of families as they face challenging times. The United States is just one of a few countries in the world that routinely separate incarcerated moms from their newborn babies. The trauma of such a separation is profound and harms the health of both the mother and baby. Women in prison tend to be younger, have completed less education, and are more likely to have experienced physical or chemical abuse. Since 1970, the number of women in U.S. jails has increased 14-fold and this increase disproportionately affects women of color.¹ In Maryland, women make up 53% of the state's prison population.²

Moving women and their children from traditional prison settings to a pre-release setting, as called for in this legislation, can improve birth outcomes for mothers and babies. Allowing parents to bond during the first year of life can improve the health outcomes for children during this first year and for the remainder of their lives. A positive, healthy relationship with a parent or caregiver is an important factor for successful development in early life. These

¹ <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-maryland.pdf>

² <https://www.marylandattorneygeneral.gov/press/2023/102523.pdf>

relationships not only provide a safe and healthy environment for growth, but also positive interactions that support healthy emotional and social development and learning. The Prevention of Forced Infant Separation Act is an opportunity to positively impact two generations at a time and help make Maryland a leader in prison reform for pregnant women, especially women in marginalized communities.

For these reasons, the MCC asks for a favorable report on **HB 191**.

Thank you for your consideration.

PPM HB 191-FAV.pdf

Uploaded by: Erin Bradley

Position: FAV

Planned Parenthood of Maryland

Committee: **Judiciary**

Bill number: **HB 191 - Correctional Services - Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)**

Hearing Date: **February 27, 2024**

Position: **Support**

Planned Parenthood of Maryland (PPM) supports *HB 191-- Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)*. The bill would permit an incarcerated person who is either pregnant or recently gave birth to transfer to the prerelease unit and will establish the Healthy Start Bonding Program to promote the development of healthy relationships between incarcerated parents and their children.

PPM supports this measure because the forced separation of infants leads to a variety of adverse health outcomes for both the baby and the parent. Research suggests that the first year is one of the most important in an infant's life, as it is a time of significant physical, cognitive, and social development.¹ When babies are forcibly separated from their parents just days after birth, there can be lifelong developmental consequences. Not only does separation immediately cause a permanent increase in a baby's stress levels, but separated babies are more likely to develop post-traumatic stress and substance use disorders as adults.² People separated from their newborns are more likely to experience post-partum depression, extreme powerlessness, grief, and feelings of detachment after forced separation.³ It is in nobody's best interest to separate infants and parents so soon after birth.

We ask for a favorable report. If we can provide any further information, please contact Erin Bradley at erin.bradley@ppm.care or (443) 604-3544.

¹ <https://www.uofmhealth.org/health-library/hw251065>

² <https://theconversation.com/a-sudden-and-lasting-separation-from-a-parent-can-permanently-alter-braindevelopment-98542>

³ [https://www.jognn.org/article/S0884-2175\(15\)33973-3/pdf](https://www.jognn.org/article/S0884-2175(15)33973-3/pdf)

HB 191 - Forced Infant Separate - ACLU Testimoy (F

Uploaded by: Frank Patinella

Position: FAV



Testimony for the House Judiciary Committee

February 27, 2024

HB 191 - Correctional Services – Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)

FRANK PATINELLA
SENIOR POLICY
ADVOCATE

FAVORABLE

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

The ACLU of Maryland urges a favorable report on HB 191, the Prevention of Forced Infant Separation Act.

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Though many more men are in prison than women, the rate of growth for female imprisonment has been twice as high as that of men since 1980. Between 1980 and 2019, the number of incarcerated women increased by more than 700%.¹ Despite this, adequate attention has not been given to the specialized needs of women who are incarcerated. Nowhere is this more obvious than in the treatment of pregnant and postpartum mothers.

WWW.ACLU-MD.ORG

OFFICERS AND
DIRECTORS
COREY STOTTEMEYER
PRESIDENT

In the State of Maryland, pregnant women who go into labor while incarcerated in a correctional facility will be transported to a hospital to give birth but are required to return to their facility as soon as they are discharged. These women generally have less than 48 hours with their newborns before they are forcibly separated from them.

DANA VICKERS
SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

The forced separation of infants leads to a variety of adverse health outcomes for both the baby and the mother. Research suggests that the first year is one of the most important in an infant's life, as it is a time of significant physical, cognitive, and social development. When babies are forcibly separated from their parents just days after birth there can be lifelong developmental consequences.² The incarceration of a parent, regardless of the age of the child, has been connected to increased risk of substance abuse, teenage pregnancy, social isolation, development of learning disabilities, financial hardship, and

¹ Incarcerated Women and Girls. The Sentencing Project, 24 Nov. 2020,

<https://www.sentencingproject.org/wp-content/uploads/2016/02/Incarcerated-Women-and-Girls.pdf>

² Wan, William. "What Separation from Parents Does to Children: 'the Effect Is Catastrophic'."

The Washington Post, WP Company, 19 June 2018, https://www.washingtonpost.com/national/health-science/what-separation-from-parents-does-to-children-the-effect-is-catastrophic/2018/06/18/c00c30ec-732c-11e8-805c-4b67019fcfe4_story.html

involvement in the criminal legal system.³ These hurdles, coupled with the long lasting cognitive, emotional, and psychological effects of separation on newborns, places an immense burden on these vulnerable children. Additionally, because of existing racial disparities in incarceration, these harms disproportionately affect Black and brown children.

Mothers separated from their newborns are more likely to experience post-partum depression, extreme powerlessness, grief, and feelings of detachment after forced separation.⁴ Many of these mothers will maintain or reacquire their parental rights and act as caregivers to their children upon release. However, the harms of that initial separation pose great risks to maternal competency and attachment behavior. In order to mitigate harms to both mother and baby, we must allow the two to have as much contact as possible with one another during this critical period.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 191.

³ Gifford, E. J., Eldred Kozecke, L., Golonka, M., Hill, S. N., Costello, E. J., Shanahan, L., & Copeland, W. E. (2019). Association of Parental Incarceration With Psychiatric and Functional Outcomes of Young Adults. *JAMA network open*, 2(8), e1910005. <https://childandfamilypolicy.duke.edu/news/parental-incarceration-increases-childrens-risk-of-substance-abuse-anxiety-in-adulthood/>

⁴ Leiderman, P. H., & Seashore, M. J. (1975). Mother-infant neonatal separation: some delayed consequences. *Ciba Foundation symposium*, (33), 213–239. <https://doi.org/10.1002/9780470720158.ch13>; Furneaux, Rosa. “Forcibly Separating Children from Their Mothers Doesn’t Just Hurt the Kids.” *Mother Jones*, 21 June 2018, <https://www.motherjones.com/politics/2018/06/trump-forced-family-separation-children-devastating-effects-mothers-1/>; Goudarzi, Sara. “Separating Families May Cause Lifelong Health Damage.” *Scientific American*, *Scientific American*, 20 June 2018, <https://www.scientificamerican.com/article/separating-families-may-cause-lifelong-health-damage>

HB191_ProChoiceMD_FAV.pdf

Uploaded by: Jennifer Mercer

Position: FAV

Pro-Choice Maryland Action

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TESTIMONY IN SUPPORT OF HOUSE BILL 191: Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)

TO: Chair Luke Clippinger and Members of the House Judiciary Committee

FROM: Pro-Choice Maryland Action

DATE: February 27, 2024

Pro-Choice Maryland Action 501(c)(4) is an independent, nonprofit organization that develops and advocates for policies that protect reproductive freedom and that advance reproductive justice, including support and services for those who have children. Pro-Choice Maryland Action **strongly supports House Bill 191 as a means of promoting secure attachment between infants and their birth parent, and of advancing better health outcomes for both children and parents.**

Currently, infants born to incarcerated individuals in Maryland are separated from their birth-parents almost immediately. Within one to two days of birth, newborns are placed with secondary caregivers or into the foster system. Research studies show that when newborns are shuffled from one caregiver to another, or placed in an otherwise unstable environment, they suffer severe trauma that may lead to complications throughout life, including mental health struggles, developmental regression, heart disease, hypertension, decreased longevity, substance abuse, and more. For the birth parent, the separation can lead to feelings of extreme grief and loss, and profound mental health challenges.

The problem of infant separation addressed by this bill will only be exacerbated in upcoming years. While men constitute a larger share of the incarcerated population, the rate of growth for incarcerated women has been twice as high as that of men since 1980. Of these women, up to 8% of them give birth behind bars.

Current policies disproportionately harm individuals who already face significant other systemic disadvantages. Women of color, individuals who have been trafficked, or who live in poverty are more likely to be incarcerated and pregnant behind bars. Maryland has an opportunity to not only promote the well-being of infants born behind bars, but also to address racial disparities created through the practice of separating infants from their birth parents, as well as to support the rehabilitation of their birth parents, and their subsequent successful reentry.

For the aforementioned reasons, **we urge a favorable report on House Bill 191.**

HPP HB 191 Testimony- FAV.pdf

Uploaded by: Jessica Emerson

Position: FAV

Testimony of the Human Trafficking Prevention Project

BILL NO: House Bill 191
TITLE: Correctional Services – Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)
COMMITTEE: Judiciary
HEARING DATE: February 27, 2024
POSITION: FAVORABLE

House Bill 191 would create the Healthy Start Bonding Program within the Maryland correctional system which would allow women who are on pre-release status who have recently given birth to reside with their child in the pre-release unit for up to one year following the birth of the child. The Human Trafficking Prevention Project supports this bill because it prioritizes the emotional health of incarcerated mothers, many of whom are survivors of human trafficking.

Across the country, there has been a disturbing gender disparity in recent prison population trends. While recent reforms nationally have reduced the total number of people in state prisons since 2009, almost all the decrease has been among men. Women are being incarcerated at a significantly higher rate than men, with the number of women in Maryland prisons having increased by over more than eightfold over the past 40 years.¹ Pregnant women who go into labor while incarcerated in a Department of Public Safety and Correctional Services (DPSCS) correctional facility are transported to a hospital but are required to return to their facility as soon as they are discharged. For a standard vaginal delivery, this is generally 1-2 days after giving birth. This means that most incarcerated women have less than 48 hours with their newborns before the baby is forcibly separated from the mother.

Research suggests that the first year is one of the most important in an infant's life, as it is a time of significant physical, cognitive, and social development. This means that when babies are forcibly separated from their parents just days after birth, there can be lifelong developmental consequences. Not only does separation immediately cause a permanent increase in a baby's stress levels, but separated babies are more likely to develop post-traumatic stress and substance use disorders as adults. For mothers, the psychological consequences of forced separation can be just as severe. Further, if the mother is the sole or primary caretaker of the child – like the majority of incarcerated mothers - the separation can become permanent as child protective services and the foster system becomes involved.

HB 191 will also have a strong positive impact on the lives of pregnant and parenting survivors of human trafficking, who are frequently charged with non-violent criminal offenses stemming from acts they were forced to commit by their traffickers, or from the instability that so often precedes or follows a trafficking experience. Data recently obtained from a national survey of both sex and labor trafficking survivors highlights the regularity with which survivors of trafficking are criminalized, with 91% of survivors reporting having been arrested.² In a life already rife with coercion, control, and abuse, permitting these pregnant and parenting survivors to remain with their newborns will allow them to work toward creating healthy, secure bonds with their children, which in turn supports their recovery from the trauma of their trafficking experience.

For these reasons, the Human Trafficking Prevention Project supports House Bill 191 and respectfully urges a favorable report.

¹ Vera Institute of Justice, *Incarceration Trends in Maryland* (2019), <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-maryland.pdf> (citing that the number of women in Maryland's jails has increased from 120 in 1970 to 1,000 in 2015).

² National Survivor Network, *National Survivor Network Members Survey: Impact of Criminal Arrest and Detention on Survivors of Human Trafficking* (2016), <https://nationalsurvivornetwork.org/wp-content/uploads/2017/12/VacateSurveyFinal.pdf>.

Favorable - HB 191 -Pregnancy and Postpartum Suppo

Uploaded by: Karen Clark

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

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

TO: Delegate Luke Clippinger, Chair and Members of the House Judiciary Committee
FROM: Karen “Candy” Clark, Criminal Justice Lead Advocate
Unitarian Universalist Legislative Ministry of Maryland
DATE: February 27, 2024

The state-wide Unitarian Universalist Legislative Ministry of Maryland (UULM-MD) asks for a favorable vote for **HB 191 – Correctional Services- Pregnancy and Postpartum Support**. This bill upholds one of our Unitarian Universalist basic faith principles: to employ the use of compassion, equity, and justice with others. Incarcerated people who give birth in prison need the opportunity to bond with their child. Sadly, it was only a few years ago Maryland passed a bill that ended the practice of requiring incarcerated prisoners to be shackled during birth.

Past prison regulations have limited time between the imprisoned parent and the babies they just gave birth to. This bill provides a way for people who are pregnant when they enter prison and people who give birth in prison to spend more time with their baby, by moving them to a Women’s Reentry Center. Here they will attend a program—developed by professionals—dedicated to building strong bonds between the parents and their babies. During a year-long stay, the Imprisoned Parents (and their babies) would go through Parental and Child Health Trainings. The imprisoned parent’s partner and other family would have visitations, and other experiences to build strong bonds between the family.

This program is contingent on the establishment of the Women’s Reentry Center which has been approved by the legislature. The desire for this bill to pass should place more pressure to move towards a completion of the Center. Please put more effort to help make that happen. The Unitarian Universalist Legislative Ministry asks for your support for HB 191.

In appreciation of your service,

Karen Clark

UULM-MD Criminal Justice Lead Advocate
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NASW Maryland - 2024 HB 191 FAV - Prevention of Fo

Uploaded by: Karessa Proctor

Position: FAV

**Testimony before House Judiciary Committee
February 27, 2024**

**House Bill 191 - Correctional Services - Pregnancy and Postpartum Support
Prevention of Forced Infant Separation Act
SUPPORT**

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD) Forensics Committee, we would like to express our support for House Bill 191 - Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act).

Maternal infant bonding occurs primarily through the first year of a baby's life. During this period, the baby and mother begin to feel a strong attachment with each other and attachment promotes healthy growth and development. Eye to eye contact provides meaningful communication making it critical for bonding to occur in the first months. This is the initial and deepest bond.

Research has proven that bonding ensures that a helpless infant receives their primary needs. Early social experiences of infants can strengthen growth of the brain and can have an enduring influence in the ability to form stable relationships with others. When bonding is well established, children are more secure in attachments and are better in entering healthy relationships with others. This increases stability throughout one's life.

Bonding gives babies a source of security and self-esteem and we support giving women who are incarcerated and their newborns the chance to achieve this in child's first year.

We urge a favorable report on House Bill 191.

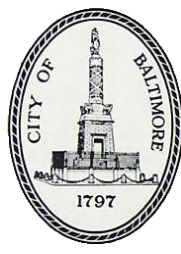
Respectfully submitted,

Karessa Proctor, BSW, MSW
Executive Director, NASW-MD

HB191-JUD-SUPP.pdf

Uploaded by: Nina Themelis

Position: FAV



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.ⁱ This separation has negative, potentially life-long, ramifications for the health of the incarcerated parent and infant.ⁱⁱ Research shows that keeping incarcerated mothers and children connected increases positive behavioral, emotional, and health outcomes for both the parent and child.ⁱ 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.ⁱⁱⁱ

Ultimately, alternatives to incarceration, such as community-based supervision, would be most effective toward keeping families together and promoting healthy communities.^{iv} 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.

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

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

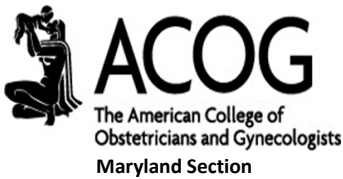
ⁱⁱⁱ Snyder, Z. (2009). Keeping Families Together: The Importance of Maintaining Mother-Child Contact for Incarcerated Women. *Women & Criminal Justice*, 19(1), 37-59. DOI:10.1080/08974450802586869

^{iv} 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/>

HB0191_FAV_MDACOG_MDAAP_Cor. Serv. - Preg. & Post.

Uploaded by: Pam Kasemeyer

Position: FAV



TO: The Honorable Luke Clippinger, Chair
Members, House Judiciary Committee
The Honorable Bernice Mireku-North

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone
410-244-7000

DATE: February 27, 2024

RE: **SUPPORT** – House Bill 191 – *Correctional Services – Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)*

On behalf of the Maryland Section of The American College of Obstetricians and Gynecologists and the Maryland Chapter of the American Academy of Pediatrics, we submit this letter of **support** for House Bill 191.

House Bill 191 provides an alternative to separating newborn babies and their incarcerated mothers. Currently, newborns born to incarcerated mothers are separated from their mothers as soon as the mother is discharged from the hospital and placed with a secondary caregiver or placed into the foster care system. This is traumatic for both mothers and babies and disrupts the formation of a healthy bond between them. It has been proved to increase maternal depression, grief, and detachment. The babies have an increased likelihood of not forming an attachment to their caregiver, often resulting in long term negative outcomes, such as academic difficulties, PTSD, delinquency, and risky behaviors. As women of color are disproportionately likely to be imprisoned, the impact of the current policy also disproportionately impacts minority communities and, thereby, exacerbates existing social and economic disadvantages for these families.

House Bill 191 establishes a program to facilitate strong, healthy bonds between incarcerated women and their newborns. In the proposed program, incarcerated women who have earned pre-release status would transfer to the women's pre-release unit where they would remain for up to 1 year after delivery with their infants. It also establishes an evidenced-based Healthy Start Bonding Program to support healthy parenting and attachment between the mother and child and strengthen other supportive family ties by facilitating frequent visitation by fathers or secondary caregivers.

Similar programs have been established in a number of states and are considered to be a best-practice model. The programs have reduced costs associated with foster care and have been shown to have significant positive impacts on the infant's ability to develop secure attachments and enhanced well-being. The women who participate have also demonstrated lower recidivism rates. Maryland should adopt this best-practice model to keep families together. A favorable report is requested.

HB0191 - Amended.pdf

Uploaded by: Anne Kirsch

Position: FWA



PREPARE
PREpare for PARole and REentry

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HBO191 - Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act) - Support if Amended

The CARES Act began releasing low risk Federal incarcerated individuals on home detention in 2020 in response to the COVID pandemic. The 3 year data is spectacular, and is contained in the June 2023 policy brief.¹ **This information was unavailable last legislative session**, but is incredibly relevant to HBO191. Of particular interest is the new charge recidivism rate of 0.17%. From a CARES Act population of 13,204 people, which is nearly as many people as the entire Maryland prison population, only 22 people committed new offenses, most of which were minor. (see page 4) This incredible success cut the financial cost of incarceration in half (see page 6) while contributing less crime to the community than an equal cohort of randomly selected individuals. It also allowed these low risk incarcerated individuals to return to their home, where they could obtain employment, pay taxes, reunify with family, and contribute socially and financially, offsetting the cost of their monitoring even more with secondary contributions.

The CARES Act data is relevant because the women considered in HBO191 are all on pre-release status, the lowest security status available only to those with less than 36 months to serve. They would have been incarcerated for less than 40 weeks considering that they are pregnant or immediately postpartum. That means the crime they have been convicted of would almost universally be a non-violent crime that carries a short sentence. Institutional infractions would raise their security levels, so they have all exhibited good behavior. They are a comparable population to the one successfully reintegrated through the CARES Act, and the lower-cost, higher-benefit solution of home detention should be implemented instead.

Instead of utilizing this now-proven GPS technology, HBO191 instead seeks to incarcerate the infant with their mothers in centralized prison housing in the Baltimore area away from the families, including the father of the child. Maryland law gives an equal presumption of custody to both parents and reviews that presumption only through the lens of the child's best interest, but HBO191 does something different. It

¹ CARES Act Home Confinement Policy Brief, June 2023,
https://www.booker.senate.gov/imo/media/doc/cares_act_home_confinement_policy_brief1.pdf

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includes no mechanism by which the father is identified, notified or given the opportunity to object. There is no requirement to obtain his consent. The wording of 3-903 (A) betrays its intent by referring to the “father or secondary caretaker” - assigning a lower, secondary status to the father solely on the basis of gender. It then assigns custody to the mother, while providing only a toothless provision that provides the father with “liberal visitation” assuming he can travel to Baltimore and the institution is compliant and sufficiently staffed. It strips the father of his right to participate in important parenting and medical decisions, attend pediatrician appointments, take paternity leave and bond with his child, and to be present for his child’s first year milestones. It remains silent on whether or not he is still responsible for child support, with all the collateral consequences of nonpayment, while his infant is incarcerated - and if he is liable, whether the mother, who is also not financially contributing, should have to pay child support to the state as well.

HB0191 is not even good for the women without consideration of the child. While it is true that about 38% of incarcerated individuals returned to Baltimore City in 2023, that means that 62% did not. Forcing all incarcerated women to participate in Baltimore reentry programming does not make sense on any level because the 62% of women returning elsewhere will not have jobs or service providers when they are released and go home. They will have to endure the frustration of rebuilding their lives twice. CARES Act style home detention is the better option for the majority of women returning in Maryland. Under HB0191, an infant must now endure these disruptions alongside the mother. Knowing the negative consequences of Adverse Childhood Experiences, it seems that this kind of harm should be prevented, not encouraged.

In my experience as a parole advocate and reentry coach, I recognize the importance of family reunification in successful reentry. While I take note of the research that shows lower recidivism among women utilizing prison nurseries in other states, it is important to recognize that there are many interventions that can lower recidivism and studies also recognize the risks and difficulties of raising an infant inside a prison. In the past there may have been an argument for a risk/benefit analysis, however today technological advances have outstripped the need for prison nurseries. Using the CARES Act as a model, Maryland can save money by using GPS technology, help incarcerated mothers rebuild their lives at home, and promote family unification. It is my hope that HB0191 can be amended to remove the use of a single physical location and replace it with GPS monitoring, however if that is not possible, I urge an unfavorable report.

SWASC Testimony_HB 191.pdf

Uploaded by: UM SWASC

Position: FWA

**TESTIMONY IN SUPPORT OF HOUSE BILL 191
WITH AMENDMENTS TO IMPLEMENT ALTERNATIVES TO PROGRAMMING
UNTIL CONSTRUCTION OF THE WOMEN'S PRERELEASE CENTER IS
CONSTRUCTED**

**Correctional Services – Pregnancy and Postpartum Support
(Prevention of Forced Infant Separation Act)
Judiciary Committee
February 27, 2024**

Social Work Advocates for Social Change supports HB 191 with proposed amendments. HB 191 will require the Division of Corrections to transfer incarcerated individuals who are pregnant or who recently gave birth to a prerelease unit for up to one year after the child's birth. HB 191 also establishes the Healthy Start Bonding Program to support the development of strong bonds between an incarcerated individual and their child(ren) and requires the allowance of liberal visitation between certain individuals and their children.

HB 191 will mitigate the harmful impact of parent separation due to incarceration on children. Since 1991, the number of children who have an incarcerated mother has increased by 131%.¹ In early development, children depend on access to their mothers to develop secure relationships, learn how to regulate their emotions, understand risk and safety, and establish their own boundaries and confidence. Attachment theory argues that separation from one's mother during infancy is a traumatic event and a risk factor for maladaptive behaviors.² Children who are separated from their mothers due to incarceration are also more likely to experience negative impacts to their academic progress including cognitive delays, academic failure, and dropping out. Specifically, young men whose mothers were incarcerated were 25% more likely to "quit school than other children."³

HB 191 will contribute positively to family cohesion and stability. Under current state law, after a mother who is incarcerated gives birth, she only has 24-48 hours with the child before she returns to prison and the baby is taken away.⁴ This imminent separation disrupts the natural process of bonding and healing for both the mother and infant and can impact the child's socio-emotional development across the lifespan.⁵ HB 191 would also contribute to the positive health of the mother and mitigate the risk of

¹ Public Policy Institute. (2023). *Effects of Maternal Incarceration on Child Health*. Center for Health and Justice Research. <https://policyinstitute.iu.edu/doc/maternal-incarceration-brief-2023.pdf>

² Bowlby, J. (1973). Attachment and loss. Separation, Vol. 2. New York: Basic Books

³ Public Policy Institute. (2023). *Effects of Maternal Incarceration on Child Health*. Center for Health and Justice Research. <https://policyinstitute.iu.edu/doc/maternal-incarceration-brief-2023.pdf>

⁴ Bowlby, J. (1973). Attachment and loss. Separation, Vol. 2. New York: Basic Books

⁵ Poehlmann, J. (2005). Representations of attachment relationships in children of incarcerated mothers. *Child Development*, 76, 679–696

postpartum depression which is further exacerbated by infant separation.⁶ This bill will undoubtedly support the 80% of pregnant incarcerated women who present with depression in their third trimester.⁷

HB 191 will promote racial and gender equity among the most vulnerable of the incarcerated population. Women who are incarcerated are more likely to be caregivers, and more likely to be single mothers at the time of their detainment.⁸ Black women and girls are still disproportionately represented in prisons by almost double compared to white women.⁹ Across all races, the incarceration of women is six times higher than it was in 1980.¹⁰ The need for the Healthy Start Bonding Program will only continue to grow and HB 191 is an important start toward addressing the needs of incarcerated mothers and their children.

HB 191 centers best practices in maternal and child health and follows the lead of other states that have already implemented these needed changes. We must understand that maternal and child wellbeing matters beyond the first 24-48 hours after an individual has given birth. The physical and mental wellbeing of a mother before and after they give birth provides a foundation for wellness and stability for the years to come. Many states across the nation have implemented similar laws and found these legislative changes can lead to improvements of mental health for all family members, reduced risk of recidivism, and may further reduce the barriers to reunification following release by preventing legal separation.^{11, 12}

For these reasons Social Work Advocates for Social Change supports HB 191 and recommends a favorable report with the amendment requiring the Department of Corrections to identify appropriate community-based programs as modeled by Minnesota’s Healthy Start Act, to be used to house eligible incarcerated individuals and their infants until the Women’s Prerelease Center can be constructed.¹³

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

⁶ Eapen, V., Dadds, M., Barnett, B., Kohlhoff, J., Khan, F., Radom, N., & Silove, D. M. (2014). Separation Anxiety, Attachment and Inter-Personal Representations: Disentangling the Role of Oxytocin in the Perinatal Period. *PLoS ONE*, 9(9), e107745. <https://doi.org/10.1371/journal.pone.0107745>

⁷ Fogel CI. Pregnant prisoners: impact of incarceration on health and health care. *J Correct Health Care*. 1995; 2(2): 169-190.

⁸ Friedman, S. H., Kaempf, A., & Kauffman, S. (n.d.). The Realities of Pregnancy and Mothering While Incarcerated. *Journal of the American Academy of Psychiatry and the Law*. <https://doi.org/10.29158/JAAPL.003924-20>

⁹ Carson, E.A. (2022). Prisoners in 2021 – Statistical Tables. Washington, DC: Bureau of Justice Statistics

¹⁰ Maruschak, L. M., Bronson, J., & Alper, M. (2021). Parents in prison and their minor children: Survey of prison inmates, 2016. Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/parents-prison-and-their-minor-children-survey-prison-inmates-2016>.

¹¹De Claire, K., & Dixon, L. (2015). The Effects of Prison Visits From Family Members on Prisoners’ Well-Being, Prison Rule Breaking, and Recidivism: A Review of Research Since 1991. *Trauma, Violence & Abuse*, 18. <https://doi.org/10.1177/1524838015603209>

¹² Warner J: Infants in orange: an international model-based approach prison nurseries. *Hastings Women's LJ* 26:65–92, 2015

¹³ MN Department of Corrections. (2021). *Healthy Start Act Fact Sheet*. [https://assets.senate.mn/committees/2021-2022/3099 Committee on Judiciary and Public Safety Finance and Policy/Healthy%20Start%20Act%20Fact%20Sheet%20-%20SF%201315.pdf](https://assets.senate.mn/committees/2021-2022/3099%20Committee%20on%20Judiciary%20and%20Public%20Safety%20Finance%20and%20Policy/Healthy%20Start%20Act%20Fact%20Sheet%20-%20SF%201315.pdf)

HB191_DPSCS_LOI.pdf

Uploaded by: Catherine Kahl

Position: INFO



Department of Public Safety and Correctional Services

Office of Government & Legislative Affairs

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ASSISTANT SECRETARY
DATA, POLICY AND GRANTS

RENARD BROOKS
ASSISTANT SECRETARY
PROGRAMS, TREATMENT AND
REENTRY SERVICES

JANELLE B. MUMMEY
DIRECTOR

BILL: HOUSE BILL 191

POSITION: LETTER OF INFORMATION

COMMENTS:

The Department operates the Division of Correction (DOC), the Division of Pretrial Detention and Services (DPDS), and the Division of Parole and Probation (DPP).

- DOC operates 13 State correctional facilities housing offenders sentenced to periods of incarceration for 18 months and longer.
- DPDS operates the Baltimore City Pretrial Complex which houses pretrial detainees and incarcerated individuals sentenced to incarceration for periods of 18 months and less.
- DPP supervises parolees, probationers and those on mandatory release from correctional facilities.

HB 191 would require the DOC to allow a pregnant woman who is eligible for prerelease to be transferred to the prerelease unit for women throughout her pregnancy. The bill would also allow for a prerelease eligible woman who has recently given birth to reside in the prerelease unit for women, with the child, for up to one year following the birth of the child.

HB 191 would also require the DOC to develop and implement a Healthy Start Program to be offered at both the Maryland Correctional Institution for Women (MCI-W) and the prerelease unit for women.

In addition, this bill would provide the father or secondary caretaker of a child residing at the prerelease unit for women or an inmate at MCI-W to liberal visitation with the child.

The DOC recognizes the importance of developing strong bonds between parents and their children. As such, the DOC has operated programs to help parents, male and female, to improve parenting.

MCIW operates a Baby Bonding program, which allows female inmates with children between the ages of infancy to 3 years to have the opportunity to

embrace and play with their children in a nursery setting. A similar program is offered monthly to grandmothers.

The prerelease unit for women has not been constructed yet. When the bill was introduced in 2021, it was vetoed by the Governor. During the 2022 Session, the veto was overridden. At that time, \$150,000 in operating funds was appropriated in the FY23 budget to fund a management consultant contract for initial project planning.

The Department and DGS are in Phase I and Phase II of the program. Once a location has been secured, the project will be able to move forward to the design phase. The design phase is projected to take 12 - 18 months before construction could begin.

As the prerelease center for women moves forward in the capital construction process, the Department will begin developing comprehensive programs and services to provide to the incarcerated women which will include programs such the Healthy Start Bonding Program.

There would be a significant fiscal and operational impact on the Department to allow for a prerelease eligible woman who has recently given birth to reside in the prerelease unit for women, with the child, for up to one year following the birth to include a nursery and medical unit as well as contract modifications for appropriate medical staffing to provide infant care.

CONCLUSION: For these reasons, the Department of Public Safety and Correctional Services respectfully urges the Committee to consider this information as it deliberates on House Bill 191.