



POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 632 – Community-Based Reentry and Prerelease Services

FROM: Maryland Equitable Justice Collaborative (MEJC)

POSITION: INFORMATIONAL (SUPPORT IN CONCEPT)

DATE: February 13, 2025

The Maryland Equitable Justice Collaborative (MEJC) supports the goals of Senate Bill 632, which addresses a critical and long-overlooked issue: the systemic challenges faced by incarcerated women, particularly women of color, as they transition back into their communities. This legislation is vital to closing reentry service gaps, reducing racial disparities, and fostering sustainable reintegration that benefits individuals, families, and communities.

About the Maryland Equitable Justice Collaborative

The Maryland Equitable Justice Collaborative (MEJC) was established by the Office of the Attorney General (OAG) and the Office of the Public Defender (OPD) to address racial disparities in mass incarceration in Maryland. This initiative is the first of its kind. It was developed based on listening sessions the Attorney General and Public Defender held with impacted people, advocates, and other community members. Academic partners, including the Judge Alexander Williams Center for Education, Justice & Ethics at the University of Maryland at College Park and the Bowie State University Institute for Restorative Justice, were brought in to ensure the work is evidence-based and data-driven statewide.

The MEJC comprises over 40 representatives from state agencies, community groups, subject matter experts, and people directly impacted by the system. Its initiatives are organized into workgroups focusing on various factors influencing incarceration rates. Each workgroup is led by a staff member from the Office of the Attorney General, a staff member from the Office of the Public Defender, and a community advocate with relevant expertise. Community voices and public input have shaped the recommendations developed under the direction of the OAG and OPD. In December 2024, the MEJC approved 18 recommendations for legislative and agency reforms, program development, data collection, and other measures designed to reduce the mass incarceration of Black men and women and other marginalized groups in Maryland prisons and jails. Recommendation #12 urges expanding and improving community-based reentry programming by: creating a protocol to share specific service needs of people who are incarcerated; collecting and publishing data on the effectiveness of reentry services; ensuring that all state facilities offer reentry services; increasing funding for successful reentry programs; and expanding community-based reentry programs' access to incarcerated people at least 180 days before their reentry date.

Unique Challenges Faced by Incarcerated Women

Women leaving incarceration encounter a variety of challenges that are often different from those of their male counterparts, making gender-responsive reentry services essential. A significant proportion of incarcerated women have experienced trauma, substance abuse, and mental health issues. Women involved in the criminal legal system report greater instances of Adverse Childhood Experiences (ACEs), such as childhood abuse, neglect, family instability, and exposure to domestic violence, than both justice-involved men and women outside of the system.¹ Many of these experiences of trauma often lead to co-occurring disorders, such as post-traumatic stress disorder (PTSD), substance use disorders, and depression, making successful reintegration more difficult without adequate psychological support. Women who do not receive appropriate trauma-informed care are at higher risk of relapse, recidivism, and instability post-release.²

Additionally, incarcerated women are disproportionately impacted by the lack of adequate healthcare services during their incarceration. In Maryland, incarcerated women report significant difficulty in accessing medical services specific to their gender, such as reproductive healthcare and prenatal support.³ These issues compound upon release, as women often face delays or obstacles when trying to reconnect with medical providers in their communities. Compounding these health-related challenges, the majority of incarcerated women are family caregivers. In Maryland, 75% of incarcerated women have children who rely on them for day-to-day needs.³ Upon release, many of these women struggle to regain custody of their children due to barriers to securing suitable housing or steady employment.⁴ Housing instability is another key barrier for formerly incarcerated women. Without sufficient reentry programs focused on securing long-term, safe housing, many women either experience homelessness or return to unsafe environments. Without stable housing, their ability to regain custody of their children and provide a stable home environment is significantly compromised.⁵ Without sufficient support, women are often forced to choose between meeting their family's needs and fulfilling court-mandated obligations such as probation requirements or attending mandated treatment programs.⁶ These challenges demonstrate the necessity of comprehensive, gender-specific reentry programs. Without interventions addressing mental health, housing, employment, family reunification, and trauma-informed support, women leaving prison are set up for continued struggles that contribute to ongoing economic instability.

¹ Lehrer, D. (2021). Trauma-informed care: The importance of understanding the incarcerated woman. *Journal of Correctional Health Care*, 27(2), 121–126. <https://doi.org/10.1089/jchc.20.07.0060>

² U.S. Department of Justice, Bureau of Justice Statistics, *Women in Prison: Issues and Challenges Confronting U.S. Correctional Systems*, 1999, 12, <https://www.ojp.gov/pdffiles/171668.pdf>.

³ American Civil Liberties Union of Maryland, *Reproductive Healthcare Behind Bars: Maryland's Urgent Need for Reform*, 2021, <https://www.aclu-md.org/en/publications/reproductive-healthcare-behind-bars>.

⁴ Amy E. Lerman and Emily Schneider, *Female Offenders, and Reentry: Pathways to Success* (Washington, DC: Urban Institute, 2019), 15, https://www.urban.org/sites/default/files/female_offender_reentry.pdf.

⁵ Goshin, Lorie S., and Mary W. Byrne. "Reentry and Reunification: The Experiences of Mothers and Their Children After Incarceration." *Health & Social Work* 37, no. 1 (2012): 36-48. <https://pmc.ncbi.nlm.nih.gov/articles/PMC7449251/>.

⁶ Wendy Sawyer, "Who's Helping Incarcerated Mothers Reunite with Their Kids?" Prison Policy Initiative, July 2020, https://www.prisonpolicy.org/reports/incarcerated_mothers.html.

Racial Disparities Impacting Incarcerated and Formerly Incarcerated Women of Color

Studies reveal that formerly incarcerated women of color face additional barriers to securing stable employment and housing upon their release.⁷ Racial disparities are evident in the statewide unemployment rates of formerly incarcerated Black women, which rank among the highest in the nation, exceeding 43%.⁸ The Prison Policy Institute reported in 2018 that formerly incarcerated Black women face exceptionally high unemployment rates, whereas white men enjoy the lowest. Specifically, Black women endure the highest “prison penalties,” which elevate unemployment rates by 14 percentage points for white men and as much as 37 percentage points for Black women compared to the general population peers.⁹ For Black and Latinx returning citizens, incarceration constructs an almost impenetrable barrier to employment and economic stability.

The Current Landscape of Reentry Services for Women in Maryland

In Maryland, the disparity in reentry support between incarcerated women and men is stark. In 2020, the ACLU of Maryland highlighted that while there were nine pre-release centers available for men, the absence of any pre-release centers for women leaves incarcerated women without access to essential services such as job training, employment opportunities, and comprehensive reentry planning that facilitate successful reintegration in a supportive environment.¹⁰ The lack of gender-responsive reentry services exacerbates the challenges faced by women upon release. Without access to tailored support, these women are at a heightened risk of recidivism.

Senate Bill 632: A Path Toward Equitable Reentry Support

Senate Bill 632 aims to bridge this gap by establishing comprehensive, gender-responsive prerelease services for incarcerated women. It does this by mandating comprehensive reentry planning that begins 180 days before release. These plans include access to stable housing, employment readiness programs, and mental health services designed to support successful reintegration.

The bill also prioritizes expanding partnerships with community-based organizations, many of which are embedded within communities of color and have the cultural competence to provide effective support. By fostering collaboration between correctional facilities and these organizations, the legislation bridges the gap between incarceration and community reintegration, ensuring continuity of care for women of color who have historically been underserved.

⁷ Maryland Alliance for Justice Reform, *Maryland Reentry Roundtable Report*, 2019, 25, <https://www.ma4jr.org/wp-content/uploads/2020/01/2019-Reentry-Roundtable-Booklet.pdf>.

⁸ Lucius Couloute and Daniel Kopf, "Out of Prison & Out of Work: Unemployment among Formerly Incarcerated People," *Prison Policy Initiative*, July 2018, <https://www.prisonpolicy.org/reports/outofwork.html>.

⁹ Ibid.

¹⁰ American Civil Liberties Union of Maryland, “Men Have Nine Pre-Release Centers. Women Have Zero,” ACLU of Maryland, accessed February 7, 2025, <https://www.aclu-md.org/en/news/men-have-nine-pre-release-centers-women-have-zero>

Furthermore, the bill's requirement for outcome-based monitoring and data collection is vital. Collecting disaggregated data on reentry outcomes by race and gender will enable Maryland to pinpoint areas for improvement and customize future initiatives to tackle ongoing disparities. This aligns with the goals of MEJC, emphasizing the importance of employing evidence-based strategies to enhance reentry programming and mitigate the disproportionate effects on marginalized communities. Maryland's recidivism rate of over 31% highlights the urgency of these needed reforms.¹¹

Without targeted intervention, the cycle of reincarceration will persistently harm women of color and the communities they return to. By investing in comprehensive reentry services, Senate Bill 632 empowers formerly incarcerated women to better navigate structural barriers, thereby fostering their long-term success and alleviating pressure on the state's criminal justice system.

Conclusion

The MEJC strongly urges the Committee to advance Senate Bill 632's goal of closing reentry service gaps for incarcerated women and affirm Maryland's commitment to justice and equity for all citizens by focusing on equitable access, tailored services, and community-based collaboration. Maryland can and must do more to ensure that incarcerated women receive the necessary support to rebuild their lives and care for their families.

Submitted by: Maryland Equitable Justice Collaborative

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¹¹ Maryland Department of Public Safety and Correctional Services. "2022 Recidivism JCR." Accessed February 11, 2025. https://dpscs.maryland.gov/publicinfo/publications/pdfs/2022_p157_DPSCS_Recidivism%20Report.pdf.