



TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE

HB 837: Task Force to Study Forced Infant Separation from Incarcerated Individuals

POSITION: Support

BY: Linda Kohn, President

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The League of Women Voters Maryland is a nonpartisan organization that works to influence public policy through education and advocacy. It believes that early intervention and family support services are important to encourage the full development of children and promote their well-being. It also believes that all Maryland residents, including those who are incarcerated, should have access to equitable, quality health care. **The League thus supports HB 837: Task Force to Study Forced Infant Separation from Incarcerated Individuals.**

The majority of women in prison are in their reproductive years, and approximately 2,000 babies are born to incarcerated women annually. "Given the mother's status as an offender, pregnancy and birth are frequently handled in ways considered unacceptable in any other circumstance."¹

After a standard vaginal delivery, most incarcerated mothers and their babies are only allowed one or two days together in the hospital, after which time they are forcibly separated. The distressed newborn is placed with relatives or in foster care, and the distressed mother returns to prison. **This abrupt cessation of bonding, breastfeeding and parental rights leads to devastating physical and psychological outcomes for both mother and baby.** Mothers are more likely to experience postpartum depression and hopelessness, and a higher risk of recidivism. Infants separated from their mothers at birth can experience severe and lasting physical, emotional, and behavioral problems. **Being born to an incarcerated mother should not carry such a heavy punishment for the child.**

Regardless of location or circumstance, efforts to support maternal and infant health remain the same: the protection and safe care of both. Meeting maternal needs for adequate nutrition, high-risk pregnancy care, and ongoing support and education helps incarcerated individuals maintain their dignity, respect, and humanity as mothers, enabling them to better care for their infants while incarcerated and after release. **Denying them that care and time together adversely affects two generations.**

Passage of HB 837 would create a task force to study how best to support and protect the health and well-being of incarcerated women and their newborns. **The League of Women Voters Maryland and its 1,500+ members urge a favorable report for House Bill 837.**

¹ <https://journalofethics.ama-assn.org/article/shackling-and-separation-motherhood-prison/2013-09#:~:text=In%20addition%20to%20shackling%2C%20many,risk%20of%20recidivism%20%5B25%5D>