

BILL NO: House Bill 1198
TITLE: Correctional Services - Comprehensive Rehabilitative Prerelease Services
Female Incarcerated Individuals (The Monica Cooper Prerelease Act)
COMMITTEE: Judiciary
HEARING DATE: March 04, 2025
POSITION: **SUPPORT**

The Women's Law Center of Maryland is dedicated to ensuring the physical safety, economic security, and bodily autonomy of women throughout the State. It is with this mandate that we strongly advocate for the favorable report of House Bill 1198, and the end of Maryland's 16 years of illegal discrimination against women offenders in the state.

Since December 2009, when the Maryland Department of Corrections closed the Baltimore Prerelease Unit for Women, Maryland has denied equal facilities and services to incarcerated women in "prerelease" status. Prerelease programs provide housing and job search assistance, guidance on connecting with local support services, therapeutic programs for mental health and trauma, and most importantly, successful reunification of incarcerated individuals with their children and families. Good prerelease programs reduce recidivism, which is why Maryland currently operates several standalone prerelease and minimum-security facilities - *for men*. HB 1198 will end this inequity and provide equal access to these same opportunities for incarcerated women.

Incarcerated women in Maryland are returning home without jobs and housing, without learning or re-learning basic life skills, disconnected from their communities, and most importantly, without having laid the groundwork for successful family reunification. Two-thirds of incarcerated women are mothers, and close to half of those incarcerated mothers are single heads of households. When the Gender-Responsive Prerelease Act was passed into law in 2021, it should have been the end of this shameful disparity. However, it is now four years later and DPSCS has missed every deadline including for site selection, facility construction, and facility operation. What we do have is a revised project plan that falls short of the need and legal requirements established by the original pre-release bill.

HB 1198 addresses these issues including mandating an adequately sized site (not less than three acres with capacity for all women eligible for prerelease – not just the 64 beds slated in the current DPSCS plan) and requiring that prerelease services be both "gender-responsive" and available onsite, so incarcerated women are not exposed to potentially dangerous populations including non-prerelease eligible women or mixed-sex facilities.

Incarcerated women in Maryland who have earned prerelease status deserve equal facilities and programs as men, as required by both the U.S. Constitution and the Maryland Equal Rights Amendment. The Women's Law Center strongly supports the advocacy of the Women's Pre-Release Equity Coalition and the original sponsors Senator Mary Washington and Delegate Charlotte Crutchfield's efforts to redress this crisis in a manner that is sensitive to both the unique trauma and criminogenic risks faced by incarcerated women seeking successful reentry, recovery, and recidivism reduction. The Women's Law Center therefore vehemently urges our legislature to pass HB 1198.

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.