



## **TESTIMONY IN SUPPORT OF HB 0837**

### **Task Force to Study Forced Infant Separation From Incarcerated Individuals**

TO: Chair and Honorable Members of the [Judiciary](#)

My Name is Ashley DeVaughn and I am the Policy and Research coordinator at Out for Justice. Out for Justice, Inc. (OFJ) is an organization led by individuals who are both directly and indirectly impacted by the criminal justice system. We advocate for the reform of policies and practices that adversely affect successful reintegration into society. We accomplish our mission through the three E's: 1) **ENGAGE** formerly incarcerated individuals, families and friends through grassroots outreach and community events; 2) **EDUCATE** our member base and communities on the policies and practices impacting our communities and navigating the legislative process for reform; 3) **EMPOWER** those impacted by the criminal justice system to utilize their voices and experiences to enact tangible change.

I am writing in support of HB 0837 Task Force to Study Forced Infant Separation From Incarcerated Individuals.

After birth, incarcerated women in Maryland have their babies taken away. This practice contradicts the scientific evidence that suggests there are valuable biological benefits to mothers and their newborns remaining together. Newborns benefit for multiple reasons, including but not limited to stronger immune systems, better brain development, and ease in breastfeeding. Benefits of skin-to-skin contact may continue for at least 3 months after birth. Furthermore, allowing women and their babies to remain together facilitates breastfeeding, which helps develop the immune system of newborns and protects them against diseases.

Bonding with the child after birth and allowing mothers to continue a bond while incarcerated has significant health benefits and will decrease the development of Mental Illnesses such as postpartum depression. Further many incarcerated parents have mental health challenges and the separation from their young children compound the negative impacts of their mental health. This bill is a start to understand what equitable support for incarcerated women is needed.

In 2023 an Out for Justice member provided a written testimony that provided a transparent view of the lived experience of being an incarcerated mother with an infant for **2023 HB523 Prevention of Forced Infant Separation Act: Correctional Services -**



**Pregnancy and Postpartum.** I can think of no better example of the urgent need to pass this bill than the lived experiences of incarcerated Mothers and the impact on children:

I was separated from my son when he was 21 months old and I spent nearly 2 years at a pretrial detention center where the only way my child could see me was through a large plexiglass. Instead of hugs he was left to bang on a window. This experience was traumatic for my child and I.

Before I was separated from my child I was all my child knew.

I was in an abusive relationship and the only peace and protection my child knew was me. After my sentencing I was sent to MCIW where I was able to have one baby bonding session because my child aged out at 4 years old. For security measures visitation was restricted and I could not hold my child or have any close contact with my child during the visit. As my child became more aware he did not understand why he could not touch his mother. This caused strain with my family because my family hesitated to continue to bring my child because we did not want to continue to traumatize my child. For some lucky women, babies of incarcerated mothers can live with a family member but women who don't have the same family support, their babies are sent to foster care. Both can have a myriad of consequences.

While incarcerated I saw my child 4 times a year. I did all I could do to keep my bond with my child. I took a parenting story telling class that gave valuable tips to remain connected with your child over the phone. I would mail books and try to read to my child over the phone but this was impossible.

At my facility the only program for mothers to connect with their child was girl scouts which was not available to me because my child was a boy. The resources are limited and support is much needed to protect children and protect against negative imprinting from alternative caregivers.

We must consider the best needs of a child and develop the support families need. For these reasons I respectfully urge a **favorable** report on **HB 0837**

Sincerely,

Ashley DeVaughn  
Out for Justice, Inc.