



# MONTGOMERY COUNTY, MARYLAND WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

[www.womensdemocraticclub.org](http://www.womensdemocraticclub.org)

## **House Bill 837-Task Force to Study Forced Infant Separation From Incarcerated Individuals Judiciary Committee – February 18, 2025 SUPPORT**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2025 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 HB0837**, to create a task force focused on studying: a) the extent of the forced infant separation problem in Maryland; b) the ability of the Division of Correction to create space for women who give birth while in pre-release status to keep their newborns with them; and c) best practices of other states in providing space for one-year postpartum mothers and infants. This bill marks a crucial first step in planning for improved treatment of incarcerated new mothers in Maryland. We applaud the proposed Task Force membership and take note that incarcerated fathers are included in the mix of members.

**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 discharged<sup>1</sup>. For a standard vaginal delivery, this is generally 1-2 days after giving birth<sup>2</sup>. 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.<sup>3</sup> The task force would be required to make recommendations for these cases.

**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 development<sup>4</sup>. Separation during the first year of life may be a strong determinant of lifelong negative outcomes for the child. Studies examining the impacts of even

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<sup>1</sup> <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>

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

<sup>3</sup> 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.

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



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minor separations of a week or more from a caregiver found adverse consequences associated with children's reading achievement by age 8.<sup>5</sup> 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 adults<sup>6</sup>.

WDC has supported legislation introduced in past sessions to create space for these mothers and their children. We agree with the need for a Task Force as the first step to providing a solution for incarcerated new mothers that is cost-effective and humane.

**We ask for your support for HB837 and strongly urge a favorable Committee report.**

Tazeen Ahmad  
WDC President

Lynn Olson  
WDC Criminal Justice  
Reform Subcommittee

Cynthia Rubenstein  
Chair, Advocacy

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<sup>5</sup> 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)

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