

MARYLAND ALLIANCE FOR JUSTICE REFORM

Working to end unnecessary incarceration and build strong, safe communities



House Bill 523 – In Favor
Written Testimony – Olinda Moyd, Esq.
Hearing Date: Tuesday, February 21, 2023

The Maryland Alliance for Justice Reform supports a favorable report of HB 523.

The bill will require the Department of Public Safety and Correctional Services to create a Healthy Start Bonding Program which will allow pregnant women who are classified to be in prerelease status to relocate to the prerelease unit for women throughout the duration of her pregnancy. It also requires the authorities to allow women who recently gave birth to reside in the prerelease unit for women up to one year after giving birth.

Bonding with a newborn is a natural human instinct that is critical for both the mother and the child. It is inhumane to deny this privilege to mothers solely because they give birth while serving a prison sentence. Bonding gives babies a sense of security that builds the foundation for their existence. It begins to build their self esteem at the very beginning of their entrance into the world. Bonding also decreases the likelihood that a mother will suffer from post-partum depression and the unimaginable grief from forced separation. Building strong bonds between women and their babies is the first step towards rearing healthy and confident future generations. When babies develop a secure attachment bond they are better able to develop fulfilling relationships, maintain emotional balance and feel confident and good about themselves. One of the most commonly used assessments for determining impactful traumatic experiences is the Adverse Childhood Experiences Test (ACE), developed by the U.S. Center for Disease Control.¹ The last of the ten questions on the test asks whether a household member went to prison. The authors of this instrument recognize the trauma that imprisonment has, not just on the individual, but on their children as well. It is indisputable that there is a direct association between certain types of childhood trauma, and health and social problems later as an adult.

The stories of women being shackled to beds during delivery, women who were only allowed a glimpse of their child before they were whisked away and women who lost their children to foster care, never to

¹ [Fast Facts: Preventing Adverse Childhood Experiences | Violence Prevention | Injury Center | CDC](#)

be seen again , are heart wrenching and inhumane. In Maryland, women must return to prison as soon as they are discharged from the hospital, leaving their baby behind or in the care of someone else. As the number of women in Maryland prison increases, so will these forced separations unless this legislative body does what is best for Maryland's most vulnerable residents – newborn babies. Approximately 18% of the women incarcerated in Maryland will be pregnant upon entry, with most giving birth while still behind bars, since prison sentences are often lengthy. Maryland must join other states that recognize the benefits to ending forced infant separation for women in prison. This is a first step in the right direction.

In 2021 Minnesota became the first state to prevent the forced separation of infants from incarcerated parents stating that they believed it would decrease recidivism. The Washington Correctional Center for Women near Seattle, Washington, is one of 8 prisons in the country that allows a small number of women who are pregnant and give birth while in custody to keep their children with them for a limited time. Their Residential Parenting Program provides women with the opportunity to bond with their children and be mothers regardless of their detention status. These women are allowed to give birth at a nearby hospital and return to the facility with their child instead of having them stripped from their arms immediately after giving birth. About 800 women have gone through the program since it began in 1999 and it has averted an entire group of innocent children from going in to foster care.²

We support a favorable report on this bill that would support pregnant and postpartum women in our prisons.

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² [Programs Help Incarcerated Moms Bond With Their Babies In Prison : NPR](#)