



SB0683 – Corrections – Women’s Prerelease Unit – Requirements (Women’s Prerelease Equity Act)
Presented to the Honorable Will Smith and Members of the senate Judicial Proceedings Committee
February 26, 2020 12:00 p.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland **urges the Senate Judicial Proceedings Committee a favorable report on SB0683 Corrections – Women’s Prerelease Unit – Requirements (Women’s Prerelease Equity Act)**, sponsored by Senators Mary Washington and Jeff Waldstreicher.

Our organization is an advocate for reproductive health, rights, and justice. Thus, we strive to ensure all incarcerated women are fully and equitably supported in their various roles post-incarceration. Equity must involve centering the unique needs of women themselves, as opposed to placing women into existing systems not designed for them. It is essential to an incarcerated woman’s reproductive freedom that she can access community healthcare resources, contraception when needed, pregnancy care, and parenting support. Acknowledging that 62% of women incarcerated in state prisons have at least one child under 18 to care for,ⁱ job readiness training will help support future work and income stability. Additionally, women have the right to parent their children and care for their families, particularly since 42% of women incarcerated in state prisons were the only parent living with their minor children in the month prior to arrest.ⁱ This highlights the drastic need for legal services to achieve family reunification and reinstatement of custody rights post-incarceration. Thus, we advocate for policies that aim to support the health, wellbeing, and preparedness of incarcerated women when they exit incarceration.

Currently, Maryland does not operate a pre-release and minimum-security facility for women, though it operates several for incarcerated men. The vacant Brockbridge Correctional facility, which served as a former minimum-security prison for men, is being converted into a pre-release, re-entry center for both men *and* women.ⁱⁱ Services will focus on job training, education, and family mediation. Among existing pre-release centers that serve mainly men, most offer unstandardized, varied services, none of which are specifically designed for the needs of incarcerated women. Currently, re-entry services for women are only offered within a singular unit in Maryland Correctional Institute for Women (MCIW). In recent decades, women’s incarceration has grown at twice the pace of men’s incarceration.ⁱⁱⁱ Without proper support offered during incarceration, recidivism rises: 77% of female state prisoners in the United States were arrested at least once during the 9 years following their release.^{iv}

Achieving pre-release status requires incarcerated women to have excellent records of behavior and conduct within the facility. Only 28% of women in state prisons are incarcerated for violent offenses.^v At MCIW, as many as 1 in 10 women have achieved pre-release status, but as many as 30% of those women have not been assigned to a work opportunity.^{vi} The Baltimore Sun Editorial Board published a [commentary](#) in early February calling for incarcerated women to receive more services prior to transitioning back into everyday life, since “women need a fair shot at succeeding outside of prison just as much as men do. There are no more excuses for prison systems to ignore women or lump them in with men.”ⁱⁱ Without a specific intersectional and equitable focus on needs, facilities are leaving incarcerated women, especially pregnant and parenting incarcerated women, all the more vulnerable to harm and concern (see Figure 1^{vii}).



Figure 1: Image by Hanna Barczyk

Re-entry services for women should be responsive to the challenges faced by incarcerated women. Both economic development—since [poverty is the strongest predictor of recidivism](#)^{viii}—and housing stability, given that [women without stable housing may be pressured](#)^{ix} into returning to abusive partners or family situations, are essential to support. Additionally, trauma can contribute to the pathway to incarceration for women. [Recommended interventions](#) include addressing substance use and mental health concerns, promoting healthy relationships, and establishing community services that are comprehensive as well as collaborative.^x Because many substance use treatment programs were originally designed for men, substance use treatment is more effective when focusing on the factors unique to incarcerated women.^{xi} Without proper support in the re-entry process, incarcerated women experience “high-risk stresses,” including reconnecting with family, finding housing and employment, healthcare, substance use treatment, and mental health treatment.^{xi}

In 2011, the [Maryland Taskforce on Prisoner Reentry](#) recommended the creation of a comprehensive Re-Entry Initiative that includes education, job skill training, treatment programming, and transition to county facilities to be closer to community resources and family members.^{xii} SB0683, in direct alignment with the recommendations of the Maryland Taskforce on Prisoner Reentry, calls for the direct development of a pre-release unit solely for women which provides comprehensive rehabilitative services—educational opportunities, vocational skills development, employment training, extended family leave, and treatment for substance use and mental health concerns. Recidivism has been shown to reduce following the provision of life skills programming and focusing on improving employment outcomes, particularly when combined with increased social support, interagency collaboration, and administrative oversight.^{xiii}

Pre-release best supports re-entering community members and the larger community when services are offered close to home. SB0683 allows the granting of participation in community activities, volunteer work, special leave, compassionate leave, and making personal or family visits. The necessity of family reunification is well-established in literature by various researchers ([Carter et al, 2006](#);^{xiv} [Brown and Bloom, 2009](#);^{ix} [Wright et al, 2012](#);^{xv} and the [National Institute of Justice, 2012](#);^{xvi} among others) as key to supporting incarcerated women, particularly due to the trauma of parents being separated from their children. Because civic and community participation directly impact a woman’s levels of social support and help re-establish her role in the community, it is likely that recidivism would be reduced. In a [Baltimore Sun op-ed](#), Molly Amster called for a women’s pre-release center to directly help women connect to their lives prior to incarceration. Amster wrote that women need “connections they have made during pre-release to serve them—connections to jobs, to housing for themselves and their children, and to mental health care and drug treatment.”^{xvii} By standardizing support services designed for the needs of women, the State of Maryland will further support its incarcerated women prior to re-entry and allow for the re-development of women’s community-based connections.

For the above reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0683**. In accordance with a favorable issuance, we further urge the House Judiciary Committee to issue a favorable report on **SB0684**, Correctional Services – Prerelease Unit for Women – Facilities and Services (Gender-Responsive Prerelease Act). Thank you for your time and consideration in improving women’s health, wellbeing, and lives following incarceration.

ⁱ U.S. Department of Justice, Office of Justice Programs. *Parents in Prison and their Minor Children*. Lauren E. Glaze and Laura M. Maruschak. Publication NCJ 222984. Washington DC: Bureau of Justice Statistics, 2010.

<https://www.bjs.gov/content/pub/pdf/pptmc.pdf> (Accessed February 15, 2020).

ⁱⁱ Baltimore Sun Editorial Board. “Incarcerated women need more services to transition back into Maryland society.” *The Baltimore Sun*, February 11, 2020. Accessed February 15, 2020. <https://www.baltimoresun.com/opinion/editorial/bs-ed-0212-women-incarcerated-20200211-p2xj2p3vgrhyzo3tafnvlfkupa-story.html>

ⁱⁱⁱ Wendy Sawyer. “The Gender Divide: Tracking Women’s State Prison Growth.” *Prison Policy Initiative*, January 9, 2018. Accessed February 16, 2020. https://www.prisonpolicy.org/reports/women_overtime.html

^{iv} U.S. Department of Justice, Office of Justice Programs. *2018 Update on Prisoner Recidivism: A 9-Year Follow-up Period (2005-2014)*. Summary NCJ 250975. Washington DC: Bureau of Justice Statistics, May 2018.

https://www.bjs.gov/content/pub/pdf/18upr9yfup0514_sum.pdf (Accessed February 16, 2020).

^v U.S. Department of Justice, Office of Justice Programs. *Women Offenders*. Publication NCJ 175688. Washington DC: Bureau of Justice Statistics, October 2000. <https://www.bjs.gov/content/pub/pdf/wo.pdf> (Accessed February 16, 2020)

^{vi} Out for Justice. “Women’s Pre-Release.” 2018. Accessed February 16, 2020. <https://www.out4justice.org/women-s-pre-release>

^{vii} Bret McCabe. “The Invisible Women.” *Johns Hopkins Magazine*, Winter 2019. Accessed February 16, 2020.

<https://hub.jhu.edu/magazine/2019/winter/pregnant-behind-bars-2501-em0-art1-nr-health-politics/>

^{viii} U.S. Department of Justice, Office of Justice Programs. *Poverty, State Capital, and Recidivism among Women Offenders*. Washington DC: National Institute of Justice, March 2004. <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=206136> (Accessed February 16, 2020).

^{ix} Brown, Marilyn and Bloom, Barbara. “Reentry and Renegotiating Motherhood: Maternal Identity and Success on Parole.” *Crime & Delinquency*, 55 (2009): 313-336. <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.872.8927&rep=rep1&type=pdf#page=16> (Accessed February 16, 2020).

^x Prisoner Reentry Institute. “Women InJustice: Gender and the Pathway to Jail in New York City.” 2017. Accessed February 16, 2020. http://johnjaypri.org/wp-content/uploads/2017/03/John_Jay_WII-Report_FINAL.pdf#page=37

^{xi} Lehman, Wayne E.K; Rowan, Grace A; Pankow, Jennifer; Joe, George W.; and Knight, Kevin. “Gender Differences in ta Disease Risk Reduction Intervention for People in Prison-based Substance Abuse Treatment” *Federal Probation*, 83(2) (2019): 27-33.

^{xii} Task Force on Prisoner Re-Entry. *Final Report on Prisoner Re-Entry*. Gary Maynard, Chair. 2011. Maryland: 2011.

<https://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/014000/014502/unrestricted/20120338e.pdf> (Accessed February 16, 2020).

^{xiii} U.S. Department of Justice, Office of Justice Programs. *The Use and Impact of Correctional Programming for Inmates on Pre- and Post-Release Outcomes*. Grant Duwe. Publication NCH 250476. Washington DC: National Institute of Justice, June 2017.

<https://www.ncjrs.gov/pdffiles1/nij/250476.pdf> (Accessed February 16, 2020).

^{xiv} Carter, Kim, Ojukwu, Disep, and Miller, Lance. “Invisible Bars: Barriers to Women’s Health & Wellbeing During and After Incarceration.” *Time for Change Foundation*, 2006. <https://www.timeforchangefoundation.org/documents/Invisible%20Bars.pdf#page=41> (Accessed February 16, 2020)

^{xv} Wright, Emily, Van Voorhis, Patricia, Salisbury, Emily, and Bauman, Ashley. “Gender-Response Lessons Learned and Policy Implications for Women in Prison: A Review” *Criminal Justice and Behavior*, 39 (2012): 1612-1632.

<https://journals.sagepub.com/doi/pdf/10.1177/0093854812451088#page=12> (Accessed February 16, 2020).

^{xvi} Garcia, Maria and Ritter, Nancy. “Improving Access to Services for Female Offenders Returning to the Community.” *NIJ Journal*, 269 (2012): 18-23. <https://www.ncjrs.gov/pdffiles1/nij/237725.pdf> (Accessed February 16, 2020).

^{xvii} Molly Amster. “The Baltimore area is best site for women’s pre-release unit.” *The Baltimore Sun*, February 7, 2020. Accessed February 16, 2020. <https://www.baltimoresun.com/opinion/readers-respond/bs-ed-rr-women-incarceration-letter-20200207-jiyzmjgiqzdf75x642pinrvu-story.html>