

SB0776, Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)
Testimony in **Support**

To: Chair Smith and members of the Senate Judicial Proceedings Committee
From: Arielle Juberg, Baltimore, MD 21234

My name is Arielle Juberg. I am a resident of Baltimore County in District 8. I belong to Showing Up for Racial Justice (SURJ) in Baltimore. SURJ is working in collaboration with the Maryland Justice Project. I am testifying in **support** of SB0776, Correctional Services - Pregnancy and Postpartum Support (Prevention of Forced Infant Separation Act)

SB0776 provides an alternative to separating newborn babies and their incarcerated mothers. In 2016, 1 out of every 6 women admitted to Maryland prisons were pregnant.¹ Most pregnant women admitted to prison will give birth while still in prison.

I care about SB0776 because I believe separating a mother from her newborn child is heartless. As a Christian, I believe each person has inherent dignity bestowed by God. We hear God tell his prophet “Before I formed you in the womb I knew you; Before you were born I sanctified you” (Jeremiah 1:5 NKJV). Separating newborns from their mothers disregards their inherent dignity as human beings.

Our current system for newborns and incarcerated mothers is antiquated and cruel. Newborns born to incarcerated mothers in Maryland are separated from their mothers almost immediately. As soon as the mother is discharged from the hospital – an average of 1 to 2 days after giving birth – the newborn is taken away and placed with a secondary caregiver or into the foster system. Separation has serious consequences for women, increasing maternal depression, feelings of extreme powerlessness, grief, and detachment. Their children – considered some of the most vulnerable, at-risk populations - are more likely to experience poor attachment to their caregiver and later academic difficulties, post-traumatic stress symptoms, delinquency, and risky behaviors.² As women of color are disproportionately likely to be imprisoned, these forced separations also disproportionately impact racial minority communities and exacerbate existing social and structural disadvantages.

SB0776 establishes a program to stop our outdated, harmful separation policy and instead facilitate strong, healthy bonds between incarcerated women and their newborns. Similar programs (often called prison nurseries) have been established in numerous states and are considered a best-practice model.³ In addition to the cost benefits of keeping infants out of foster care, such programs have been documented to have significant positive impacts on infants’ secure attachment and well-being, both short and longer-term.³⁻⁵ Women who participate in these programs have better outcomes, including lower recidivism rates.⁵ SB0776 is simply good public policy that makes sense for Maryland.

It is for these reasons I am strongly encouraging you to vote **in support** of SB0776. The time is right for the state to adopt this best-practice model to keep families together and end forced infant separation. Thank you for your time, consideration, and service.

1. Sufirin C et al. Pregnancy Outcomes in US Prisons, 2016–2017. *Am J Public Health*. 2019;109(5):799-805.
2. Dallaire. Children with incarcerated mothers: Developmental outcomes, special challenges and recommendations. *Journal of Applied Developmental Psychology*. 2007;28(1):15-24.
3. Goshin et al. Recidivism after release from a prison nursery program. *Public Health Nurs*. 2014;31(2):109-117.
4. Byrne et al. Intergenerational transmission of attachment for infants raised in a prison nursery. *Attachment & Human Development*. 2010;12(4):375-393.
5. Goshin et al. Preschool outcomes of children who lived as infants in a prison nursery. *The Prison Journal*. 2014;94(2):139-158.