



Vance Academic Center Room 114
Central Connecticut State University
1615 Stanley Street
New Britain, CT 06050

TESTIMONY IN SUPPORT OF HB 5288

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3-16-2012

Good afternoon Chairman Coleman, Chairman Fox, Sen. Doyle, Rep. Holder-Winfield, Sen. Kissel, Rep. Hetherington and members of the Judiciary Committee:

I am Aileen Keays, Project Manager of the Children of Incarcerated Parents Project within the Institute for Municipal & Regional Policy (IMRP) at Central CT State University (CCSU).

I am here to testify in support of House Bill 5288, An Act Concerning Children of Incarcerated Women.

On behalf of the multitude of individuals, families and children we have worked with since the creation of our Children of Incarcerated Parents Project I would like to first thank the CT General Assembly, and in particular the Judiciary Committee, for considering the implications of this particular state policy on this very vulnerable, yet often overlooked population.

In the course of our work on this project, we have come across many stories that speak to us of the need to address not just the creation of a nursery, as this bill suggests, but the overall consideration of the institutional role in determining the relationship between those inside and outside the correctional walls. When one is to consider such questions as the feasibility, costs and benefits of permitting a newly born child to either be pulled from or guided to the arms of his or her mother, the first question that needs to be asked is this: what is the state's ultimate goal of a correctional setting?

In the past several decades in both Connecticut and throughout the nation it has become clear that punishment of the individual is a distinct goal of incarceration. Another, broader goal is general institutional safety. However, in recent years decreasing recidivism rates of individuals leaving correctional institutions has also become a clear goal. In order to achieve reduced recidivism, measures are utilized that can be best described under the broad category of rehabilitation.





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When rehabilitation enters into the picture it is usually seen as diametrically opposed to institutional safety. How much rehabilitation can occur without threatening the basic welfare of correctional officers and other staff and inmates? This bill is considering the exploration of that boundary.

Some advocates actually argue that the introduction of children into the correctional setting through a nursery positively alters the climate of the facility thereby increasing safety for inmates as well as correctional staff, not decreasing it. Nine other states have, or are soon-to-open, prison nursery programs. These include California, Illinois, Indiana, Ohio, Nebraska, New York, South Dakota, Washington, and West Virginia. The United States as a country is behind many others in forming policy that promotes the mother-child bond even when the mother is incarcerated. In fact, in Mexico it is mandated that a child born to a mother in prison remain with the mother until the age of six⁴. Furthermore, "the last published multinational survey related to prison nurseries, based on queries in 70 nations, reported that only Suriname, Liberia, the Bahamas, and the U.S. routinely separated imprisoned mothers from their infants⁵."

As I previously mentioned, this bill encourages an exploration of the boundary between retribution, safety and rehabilitation. What compounds this issue even further is the explicit acknowledgment of another being impacted by an individual's incarceration: in this case, the infant. Here we must also then consider the linkage of a child to a parent in the criminal justice system. This brings to light an issue that is often negated when considering the carrying out of justice on an individual: to what extent is a mother's sentence also inflicted on the child?

I raise these issues not as a rhetorical venture, but rather as recognition that in order to truly answer the questions posed by the criteria outlined in this study, those involved in carrying out the study must be prepared to answer some much more fundamental questions. Only then will they be able to come to terms with whether a woman incarcerated for eighteen months or less be allowed to care for her newborn infant. For if something other than retribution is on the table, than the study becomes wider than a consideration such as this. If what is implied in the creation of a nursery is to be taken seriously, that being the rehabilitation of a mother and the fundamental human rights of a child, we need not stop at these questions.

One of the projects that the IMRP participated in was spearheaded by the Judy Dworin Performance Project (JDPP). The JDPP teaching artists worked with women incarcerated at York Correctional Institution and their children in the community. As part of the project,





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JDPP hosted a day-long visit at York between the mothers, their children and community caregivers. It was a beautiful event however it was also laced with sadness and a realization of the impact separation has had on the children, their mothers and community caregivers. There are many moments that will resonate with me forever, however in writing this testimony one stands out above the rest. One of the children brought to York to visit his mother was a toddler I'll call Billy. He was escorted there by his maternal grandmother, who was acting as his guardian. Throughout the day, Billy repeatedly cried when placed in his young mother's arms and reached for his grandmother while yelling "Mommy!". His grandmother repeatedly redirected him to his biological mother reminding him that she was his mother, yet Billy continued to cry when placed near his Mom. The incarcerated mother bravely continued with the program while tears came down her face.

This young mom was serving only a short sentence and would most certainly return home to act as her son's primary caregiver upon conclusion of her sentence, yet the harm that may stem from this disrupted attachment to his parent during this critical period of infant development has the potential for long-term negative consequences for young Billy. Indeed, "the opportunity to receive maternal care in an environment that supports parenting may be critical to future development. Neurochemical systems that regulate social behavior have been shown to be strongly affected by parental nurturing in infancy and in the absence of quality maternal care can be abnormally developed and stimulate reward pathways associated later in life with violence and addiction"ⁱⁱⁱ. In addition, research demonstrates that these programs benefit mothers and children: "women who participate show lower rates of recidivism, and their children show no adverse affects as a result of their participation"^{iv}. Furthermore, "by keeping mothers and infants together, these programs prevent foster care placement and allow for the formation of maternal/child bonds during a critical period of infant development"^v. National children of incarcerated parents expert, Yali Lincroft, has been quoted as saying "Prison presents a crisis opportunity to improve inmates' abilities to serve as productive members to their families and communities once they are released, through enhanced parenting classes, addiction treatment programs, increased literacy, and other programs to prepare for life outside prison"^{vi}.

According to Bureau of Justice Statistics data, between 1977 and 2007, the number of women in prison in the United States increased by 832%^{vii}. "Nationwide, 4% of women in state prisons and 3% of those in federal prisons are pregnant at sentencing"^{viii}. These are not insignificant numbers. This provides a quandary for corrections, policymakers, courts and child welfare as they determine what best to do with the children upon their birth. Proposed





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House Bill 5288 “An Act Concerning Children of Incarcerated Women” provides the opportunity to seek out the best outcomes for both children of incarcerated women, and the women themselves in Connecticut.

At the IMRP we have worked on all sides of this issue in our efforts to consider what policies and services provide for the best outcome of children impacted by familial incarceration. We consider the child’s perspective first and foremost, but we also attempt to take an inclusive approach by considering the viewpoints and concerns of caregivers, the larger community, law enforcement, probation, corrections, community providers, national experts and the incarcerated parent, among others. In doing so, we utilize the vast resources of our own university, and the state university and community college system as a whole. All the while we are engaging students - many of whom have been impacted by parental incarceration themselves - and encouraging them in their efforts to engage in public service, as they are the future leaders to decide upon questions such as these.

We again commend you on your consideration of this important issue and stand ready to assist as you engage in this extremely worthwhile project.

- i *Mothers, Infants and Imprisonment: A National Look at Prison Nurseries and Community-Based Alternatives (May 2009). Retrieved March 14, 2012 from www.wpaonline.org*
- ii *Intergenerational Transmission of Attachment for Infants Raised in a Prison Nursery (2010). Retrieved March 14, 2012 from <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2942021/>.*
- iii *Pedersen CA. Biological aspects of social bonding and the roots of human violence. *Annals of the New York Academy of Science* 2004; 1036:106-127.*
- iv *Mothers, Infants and Imprisonment: A National Look at Prison Nurseries and Community-Based Alternatives (May 2009). Retrieved March 14, 2012 from www.wpaonline.org*
- v *Ibid*
- vi *Ibid*
- vii *Quick Facts: Women & Criminal Justice. (2009). Retrieved March 14, 2012 from <http://wpaonline.org/pdf/Quick%20Facts%20Women%20and%20CJ%202009.pdf>*
- viii *Babies Behind Bars - Nurseries for incarcerated mothers and their children (July/August, 2010). Retrieved March 14, 2012 from <http://www.cwla.org/voice/JA10babies.html>*

