

HOUSE BILL 837

E5

5lr2347

By: **Delegates Mireku–North, Guyton, Kaufman, Palakovich Carr, and Wims**

Introduced and read first time: January 29, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Forced Infant Separation From Incarcerated Individuals**

3 FOR the purpose of establishing the Task Force to Study Forced Infant Separation From
4 Incarcerated Individuals; and generally relating to the Task Force to Study Forced
5 Infant Separation From Incarcerated Individuals.

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That:

8 (a) There is a Task Force to Study Forced Infant Separation From Incarcerated
9 Individuals.

10 (b) The Task Force consists of the following members:

11 (1) one member of the Senate, appointed by the President of the Senate;

12 (2) one member of the House of Delegates, appointed by the Speaker of the
13 House;

14 (3) the Secretary of Public Safety and Correctional Services, or the
15 Secretary's designee;

16 (4) the Public Defender, or the Public Defender's designee; and

17 (5) the following members, appointed by the Governor:

18 (i) one formerly incarcerated individual;

19 (ii) one family member of a currently incarcerated male individual;

20 (iii) one family member of a currently incarcerated female individual;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(iv) three representatives of a nonprofit organization focused on women's health;

(v) three representatives of a nonprofit organization focused on pediatric health; and

(vi) three representatives of a nonprofit organization focused on the rights of incarcerated individuals.

(c) The Executive Director of the Governor's Office of Crime Prevention and Policy shall designate the chair of the Task Force.

(d) The Governor's Office of Crime Prevention and Policy shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall study:

(1) the number of pregnant and postpartum incarcerated individuals in the State's prisons;

(2) the ability of the Division of Correction to create a space within the prerelease unit, when completed, for pregnant and postpartum incarcerated individuals;

(3) the impact of forced infant separation from the infant's mother;

(4) the best practices of other state correctional systems in handling:

(i) forced infant separation;

(ii) pregnant and postpartum incarcerated individuals; and

(iii) visitation between postpartum incarcerated individuals and their children; and

(5) any other issues that the Task Force considers relevant.

(g) The Task Force shall make legislative recommendations regarding methods to reduce forced infant separation in the State and facilitate bonds between postpartum incarcerated individuals and their children.

1 (h) On or before December 31, 2026, the Task Force shall report its findings and
2 recommendations, in accordance with § 2-1257 of the State Government Article, to the
3 General Assembly.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2025. It shall remain effective for a period of 2 years and, at the end of June 30, 2027,
6 this Act, with no further action required by the General Assembly, shall be abrogated and
7 of no further force and effect.