

## **Healthy Start Act**

**SF 1315/HF 1403**

### **Background:**

Currently, women carry out their pregnancy terms in prison, give birth in a hospital, and return to prison 2-3 days after giving birth. Often, their children are being cared for by family members but it is difficult to provide the right level of visitation at the hospital and there are barriers to visitation once mothers are returned to prison, such as caregivers being able to take time off to bring the newborn to visit their mother. Myriad data exists on the negative impact incarceration has on children, new mothers, and their families. The DOC is also limited in the types of programming available in state correctional facilities that are tailored to the needs of mothers.

Research shows higher levels of postpartum depression for women who are incarcerated when they give birth. The separation is stressful for both the child and the mother. In majority of cases of women who are giving birth while incarcerated in Minnesota, the mothers are reaching their release dates within six months of giving birth.

### **DOC's Healthy Start Act:**

HF1403/SF1315 is a DOC bill that allows the Commissioner of Corrections to place women who are pregnant or immediately postpartum into community alternatives such as halfway houses, supervise them in accordance with current statute, and provide them treatment and programming in the placement location for the duration of their pregnancy and for up to one year post-birth to allow for the child to be near their mother for the first year of their lives.

The Healthy Start Act is a bipartisan piece of legislation in both the House and the Senate. An all-women team of co-authors from both parties are being led by Representative Becker-Finn in the House. In the Senate, Senator Kiffmeyer is chief authoring the legislation and co-authors include Senator Housley, Senator Benson, Senator Pappas, and Senator Pratt, who represents the district the only women's prison in the state is housed in. All in all, 39 of the 72 women

legislators have signed onto this bill – and more would, if we didn't have limits on co-signors. This is momentous and exciting!

## **Data from MN Department of Corrections**

- A total of 278 pregnant women were sentenced to serve time in prison between 2013 and 2020.
- 34% of the pregnant women were native, 12% black, and 53% white.
- 77% were in prison for technical violations of supervision.
- 84% had non-violent governing offenses.
- 77% were sentenced to prison while pregnant for less than nine months.
- The median length of stay for a pregnant woman in Minnesota prison is 4.5 months.
- 41% of mothers who gave birth while incarcerated reached their release date within 90 days of giving birth; 54% released within 6 months of giving birth; 67% within 9 months; and 76% within 1 year.
- One study looking at visitation between children and mothers in prison found that on average, caregivers lived 117 minutes (almost 2 hours) from MCF-Shakopee. 56% of caregivers who reported never taking the baby for visits to the prison.

## **Quotes from Incarcerated Mothers**

- “I would serve my time in a janitor’s closet if it gave me more time with my child.”
- “The bond with my children is the most important thing in my life, and the thing that keeps me focused on doing well.”
- “When I had my daughter in prison and could not spend time with her, she saw me as a stranger, and that killed me.”
- “It is hard to have to visit your new baby, rather than parent her.”
- “They’re gone and I’m sad, but grateful that they can come at all.”

### *Comments from moms who have not been able to have their children visit:*

- “I feel like I have a hole in my chest, like a part of me is missing.”
- “It’s awful. I’ve learned to brace myself or it will destroy me. We play a game where we say ‘I’m okay, you’re okay,’ but then we hang up and I don’t pretend anymore.”

For more information or questions, please contact Safia Khan at [Safia.Khan@state.mn.us](mailto:Safia.Khan@state.mn.us)