

**SENATE JUDICIARY COMMITTEE
SENATOR DIANE LARSON, CHAIR
JANUARY 15, 2025**

**CHERYL THOMAS, WOMEN'S SERVICES MANAGER
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2115**

Chairwoman Larson and members of the Judiciary Committee, my name is Cheryl Thomas, and I am the Women's Services Manager for the North Dakota Department of Corrections and Rehabilitation (DOCR). The DOCR has made tremendous gains regarding our incarcerated women's population by implementing gender responsive and trauma informed care, along with having a deeper understanding that women's pathways into incarceration are much different than men. We also know that relationships are critical to women, as women's identities are often relationally based. Women are often the main care givers of their children, as most incarcerated women are parents to children under the age of 18. From 1991 to 2016, there was a 96 percent increase in incarcerated mothers.¹ There is significant research that supports a mother and their babies bond starting during gestation and continuing to grow after birth.² I stand before you today to provide testimony in support of Senate Bill 2115 which will authorize the children of incarcerated women to reside at the Heart River

¹ Ghandnoosh, Ph.D., N., Stammen, E., & Muhitch, K. (2021, November 17). *Parents in Prison*. Retrieved from The Sentencing Project: <https://www.sentencingproject.org/policy-brief/parents-in-prison/>

² Team, S. (2024, March 13). The Mom - Baby Bond: The Science Behind the Magic. Retrieved from soulside: <https://www.getsoulside.com/blog/the-mom-baby-bond-the-science-behind-the-magic>

Correctional Center (HRCC) and will create and enact a new subsection to section North Dakota Century Code §54-23.3-04 and amend and reenact North Dakota Century Code §32-12.2-02, relating to limitation of liability for children residing at HRCC.

In my career, I have been on the front lines of child welfare, working at the county level within Foster Care case management, In-home, which at the time was called Wrap-Around case management, as well as in Child Protection Services. I stayed working within child welfare as a case manager at Prairie Learning Center, formally a boys group home in Raleigh, ND. Almost 17 years ago I joined the DOCR, working for the Division of Juvenile Services (DJS). My last three years has been as the Women's Services Manager where I also lead the Children of Incarcerated Parents Initiative (COIPI) for the department. Through these positions, I have witnessed the impact that an out of home placement of a child can have on the child and family. Children affected by parental incarceration are at a higher risk of adverse childhood experiences (ACE), insecure attachment, social stigma, unstable family relationships, physical and mental health issues and low educational attainment.³ I have also seen the impact of having an incarcerated parent on her children. Contact between incarcerated parent(s) and their children can help reduce risk factors for the children affected by parental incarceration as well as reducing recidivism for the

³ Turney, Kristin (2018, June). *Adverse childhood experiences among children of incarcerated parents*. Retrieved from Children and Youth Services Review: <https://www.sciencedirect.com/science/article/pii/S0190740918300525>

incarcerated parent, as more than 40% of incarcerated parents lived with their children prior to their incarceration.⁴

Prison nursery programs, where incarcerated mothers can care for their child within a correctional facility, have proven to offer significant benefits to both the mothers and their children. When an incarcerated mother can care for her child, it has a profound positive effect on mothers' mental health and rehabilitation. Incarcerated mothers often face overwhelming challenges related to separation from their children, which can intensify feelings of hopelessness and depression. Allowing mothers to bond with their infants in a supportive environment gives them a sense of purpose and responsibility, which can help reduce recidivism rates.⁵ Studies show that incarcerated mothers who are able to maintain a connection with their children are more likely to succeed upon reentry into the community. There are currently 11 states that have a nursery within their women's correctional facilities and four more, including North Dakota, in the process of planning or expanding their current program. New York state started their program in 1901, Washington state, started their program in 1999, resulting in a decrease in recidivism by 3 to 5 percent. Nebraska opened their nursery program in 1994, has seen a 10 percent decrease in recidivism, Indiana opened their nursery program in 2008, and saw a 16 percent decrease in

⁴ Martin, Eric (2017, March 01). *Hidden Consequences: The Impact of Incarceration on Dependent Children*. Retrieved from National Institute of Justice Journal: <https://nij.ojp.gov/topics/articles/hidden-consequences-impact-incarceration-dependent-children>

⁵ John, C. (2018, March 04). *Parenting in prison: Ohio nursery offers inmate moms, children a chance to bond*. Retrieved from Cleveland.com: https://www.cleveland.com/metro/2018/03/parenting_behindBars_ohios_pr.html

recidivism, due to these programs. Children raised in a nursery program are provided an opportunity to form an early attachment to their mother, which is crucial for their emotional and cognitive development. Research consistently highlights the importance of maternal bonding during the early stages of life. Having a nursery at HRCC would decrease a child's likelihood of separation trauma, avoiding the harmful effects of being placed away from their mother.

Currently there is no fiscal note associated with this bill. However, it should be noted that the cost of maintaining a nursery unit is often lower than the expense of housing children in a child welfare setting. Improving outcomes for mothers will reduce future incarceration costs associated with reoffending.

A fundamental goal of the DOCR is rehabilitation. Authorizing the DOCR to allow incarcerated mothers to keep their child after birth, aligns with this purpose by helping women maintain familial bonds and empowering them to become better parents and citizens upon their release. More than 95 percent of the current DOCR incarcerated population return to our communities. This program supports goals of the North Dakota Health and Human Services and the Child and Family Services Divisions, as well as the Federal Families First Act and the goal of minimizing out of home placement of children by keeping a mother and a child together.

I urge this committee to consider the long-term benefits that a prison nursery program can offer. They provide a unique opportunity to support incarcerated mothers in their journey toward rehabilitation, while promoting the well-being of their children. The evidence shows that these programs foster

stronger families, reduce recidivism, and can ultimately lead to a safer community.

Thank you for your time and for considering this important matter. I will stand to answer any questions. Thank you.