



Children of Incarcerated Caregivers

## 2025 United States Prison Nursery Report<sup>1</sup>

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Incarceration in the United States has surged dramatically in recent decades, with a notable rise in the number of women imprisoned—a demographic whose needs, particularly those of pregnant women, have been inadequately addressed. While the majority of incarcerated women who give birth in custody have their baby taken from them shortly after delivery, eight states<sup>2</sup> operate prison nursery programs that allow some newborns to stay with their incarcerated mothers for a limited period, contingent upon meeting eligibility criteria.

The absence of national policies or standardized guidelines for prison nurseries means that the creation and implementation of these programs are determined individually by state departments of corrections. This has led to significant variability across states in eligibility criteria, program duration, capacity, programming, and the physical environment of nurseries. Although prison nurseries are intended to foster mother-child bonding, reduce recidivism, and enhance parenting skills, they also face numerous problems, including inconsistent programming, restrictive eligibility requirements, and underutilization. While the involvement of community partnerships and public funding helps address some gaps in programming, systemic issues persist including a lack of data collection and the challenges posed by parenting within a carceral setting. Ultimately, prison nursery programs only serve a small population of incarcerated women.

While many states have considered establishing nursery programs, they often face funding and staffing issues during the legislative and implementation stages. Other states have explored the use of community-based alternatives that aim to simultaneously address the root causes of incarceration while also keeping mothers and their children together. Non-custodial programs may offer a more promising way to address maternal incarceration than prison nursery programs.

### **I. Incarceration in the U.S.**

Women's involvement in the criminal legal system has risen significantly since 1980, with the imprisonment rate rising twice as fast as that of men, increasing by over 525 percent.<sup>3</sup> In

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<sup>1</sup> **Author's Note:** This report provides a broad overview of state-run prison nursery programs in the United States. It aims to offer general insights rather than an exhaustive analysis of each state's specific nursery program.

<sup>2</sup> They are located in Illinois, Indiana, Ohio, Nebraska, New York, South Dakota, West Virginia, and Washington.

<sup>3</sup> Kristen M. Budd, "Incarcerated Women and Girls." The Sentencing Project, July 2024, <https://www.sentencingproject.org/fact-sheet/incarcerated-women-and-girls/>.

2021, 47 out of every 100,000 women were incarcerated, with rates varying widely across states.<sup>4</sup> Women of color are disproportionately impacted, especially Black women—who comprise 30 percent of the prison population but only 13 percent of the U.S. population.<sup>5</sup> Systemic inequalities, such as racially targeted law enforcement, uneven access to legal representation, and prosecutorial discretion disproportionately impact women of color and low-income women.<sup>6</sup>

Estimates from 2016-17 suggest that around four percent of women who entered state prisons were pregnant.<sup>7</sup> When women give birth in custody, they typically have 48 to 72 hours with their newborn before being separated.<sup>8</sup> However, there is very little information collected by prison systems regarding the care arrangements for infants born to women in prisons.<sup>9</sup> The Pregnancy in Prison Statistics (PIPS) Project sought to address this gap, as the first systematic examination of pregnancy outcomes within carceral institutions in the U.S..<sup>10</sup> According to the PIPS data set, over half of infants born to women in custody are taken by a designated family member,<sup>11</sup> often a grandparent.<sup>12</sup> Other options for placement include a designated non-family member, adoption, placement in the foster care system, or a prison nursery program.<sup>13</sup>

Of the 446 state prisons that hold women across the U.S.,<sup>14</sup> eight state-operated prison nursery programs exist. They are located in Illinois, Indiana, Ohio, Nebraska, New York, South Dakota, West Virginia, and Washington. At the federal level, the Federal Bureau of Prisons operates two distinct nursery programs for incarcerated women in federal facilities and their

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<sup>4</sup> Budd, “Incarcerated Women and Girls.”

<sup>5</sup> Danielle Malangone, *Understanding the Needs of Justice-Involved Black Women* (New York: Center for Justice Innovation, 2020), 2, [https://www.innovatingjustice.org/sites/default/files/media/documents/2020-11/Monograph\\_Overview\\_11012020.pdf](https://www.innovatingjustice.org/sites/default/files/media/documents/2020-11/Monograph_Overview_11012020.pdf).

<sup>6</sup> Elizabeth Hinton, LeShae Henderson, and Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (New York: Vera Institute of Justice, 2018), <https://www.vera.org/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf>.

<sup>7</sup> “Incarcerated Pregnant People in a 12 Month Period,” Pregnant in Prison Statistics (PIPS) Project, Advocacy and Research on Reproductive Wellness of Incarcerated People, <https://arrwip.org/projects/pregnancy-in-prison-statistics-pips-project/>.

<sup>8</sup> Rebecca J. Shlafer, Rachel R. Hardeman, and Elizabeth A. Carlson, “Reproductive Justice for Incarcerated Mothers and Advocacy for Their Infants and Young Children,” *Infant Mental Health Journal* 40, no. 5 (Fall 2019): 731, <https://doi.10.1002.imhj.21810>.

<sup>9</sup> Virginia E. Pendleton, Elizabeth M. Schmitgen, Laurel Davis, and Rebecca J. Shlafer, “Caregiving Arrangements and Caregiver Well-being when Infants are Born to Mothers in Prison,” *Journal of Child and Family Studies* 31, no. 2 (July 2022), <https://doi.org/10.1007/s10826-021-02089-w>.

<sup>10</sup> “Incarcerated Pregnant People in a 12 Month Period,” PIPS Project.

<sup>11</sup> “Incarcerated Pregnant People in a 12 Month Period,” PIPS Project.

<sup>12</sup> Pendleton et al., “Caregiving Arrangements and Caregiver Well-being when Infants are Born to Mothers in Prison.”

<sup>13</sup> “Incarcerated Pregnant People in a 12 Month Period,” PIPS Project.

<sup>14</sup> Aleks Kajstura and Wendy Sawyer, “Women’s Mass Incarceration: The Whole Pie 2024,” Prison Policy Initiative, March 2024, <https://www.prisonpolicy.org/reports/pie2024women.html>.

infants: the Mothers and Infants Nurturing Together (MINT) program and the Residential Parenting Program (RPP).<sup>15</sup>

## II. Justifications and Criticisms

Prison nurseries are arguably beneficial for three key reasons: promoting mother-baby attachment, reducing recidivism rates among mothers, and enhancing parenting skills.<sup>16</sup> Developmental science emphasizes the importance of the period between zero to two years for critical infant attachment formation and the stability provided by consistent caregiver interactions.<sup>17</sup> By allowing mothers and infants to stay together during this period, prison nurseries can promote secure attachments at rates similar to infants raised in the community, found a study conducted in New York State’s Bedford Hills nursery.<sup>18</sup> Furthermore, research indicates that nursery participants experience self-reported improvements in parenting knowledge, skills, and self-esteem.<sup>19</sup>

However, beyond the study conducted at Bedford Hills, little is known about the short and long-term outcomes of prison nursery participants, or how these outcomes compare to other alternatives.<sup>20</sup> Though evidence generally suggests positive maternal and child outcomes for mothers and their infants, several institutional barriers inhibit maternal-child attachment including “zero-tolerance” policies for behavior, abrupt dismissal from the program, and safety concerns about the prison environment.<sup>21</sup>

For example, while program eligibility typically requires that the mother’s release date aligns with when the infant will age out of the program, not all mother-child dyads are released together.<sup>22</sup> One study found that a third of infants who co-resided with their mothers in the nursery at the Nebraska Correctional Center for Women were released from the program before

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<sup>15</sup> For more information on the federal nursery programs, see Olivia Hudson, “2025 United States Federal Prison Nursery Report,” *Children of Incarcerated Caregivers* (forthcoming).

<sup>16</sup> Stephanie Fritz and Kevin Whiteacre, “Prison Nurseries: Experiences of Incarcerated Women During Pregnancy,” *Journal of Offender Rehabilitation* 55, no. 1 (2015): 3, <https://doi.org/10.1080/10509674.2015.1107001>.

<sup>17</sup> Center on the Developing Child, *The Foundations of Lifelong Health Are Built in Early Childhood* (In Brief, 2015), <https://harvardcenter.wpeninepowered.com/wp-content/uploads/2015/05/InBrief-The-Foundations-of-Lifelong-Health-1.pdf>.

<sup>18</sup> Mary W Byrne, Lorie S Goshin, and Sarah S Joestl, “Intergenerational Transmission of Attachment for Infants Raised in a Prison Nursery,” *Attachment & Human Development* 12, no. 4 (2010), <https://doi.org/10.1080/14616730903417011>.

<sup>19</sup> Fritz and Whiteacre, “Prison Nurseries: Experiences of Incarcerated Women During Pregnancy,” 3.

<sup>20</sup> Allison D. Crawford et al., “Policy Alternatives to Separating Women in Prison and Their Infants,” in *Handbook on Contemporary Issues in Health, Crime, and Punishment*, ed. Nathan W. Link, Meghan A. Novisky, and Chantal Fahmy (Routledge, 2024), 385.

<sup>21</sup> Bailey E. Martin et al., “Incarcerated at Birth: An Integrative Review of Prison Nurseries in the United States,” *Journal of Perinatal & Neonatal Nursing* (November 2024): 6, <https://doi.org/10.1097/JPN.0000000000000883>.

<sup>22</sup> See Appendix 1; Lorie S. Goshin, Mary W. Byrne, and Alana M. Henninger, “Recidivism after Release from a Prison Nursery Program,” *Public Health Nursing* 31, no. 2 (August 2013), <https://doi.org/10.1111/phn.12072>.

completion, either at the mother's request or due to prison administrative orders.<sup>23</sup> Ultimately, more research should be done to evaluate whether the benefit of bonding could be outweighed by the harm of separation if the child leaves the nursery before the mother's prison sentence is completed.

When evaluating these programs, the primary outcome of interest—especially for departments of corrections—is often the recidivism rate.<sup>24</sup> Although evaluations of some programs have found lower rates of recidivism among incarcerated mothers who participate than among incarcerated mothers who do not, a review of these studies concluded the evidence on nurseries effectiveness is “unknown” due to methodologically weak research design and statistical analyses.<sup>25</sup>

### III. Physical Environment

In the U.S., prison nursery facilities vary widely in design and amenities; some have wings or buildings designated for the nursery unit separate from the general prison population. While most units are built to be “child-centered,” featuring colorful decor and toys, others are sparsely decorated with little space for infants to crawl and develop motor skills.<sup>26</sup> Though, despite attempts to mitigate the prison environment, the undeniable reality remains—prison nurseries remain ensconced within the confines of prison walls, which are “prisons first and nurseries second,” notes Attorney Carol Strickman of Legal Services for Prisoners with Children.<sup>27</sup>

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<sup>23</sup> Joseph R. Carlson, “Prison Nurseries: A Way to Reduce Recidivism,” *The Prison Journal* 98, no. 6 (December 2018), <https://doi.org/10.1177/003288551881269>.

<sup>24</sup> Amy Dworsky et al., *Addressing the Needs of Incarcerated Mothers and Their Children in Illinois*, (Chicago: Chapin Hall at the University of Chicago and the University of Chicago School of Social Service Administration, 2020), <https://www.chapinhall.org/wp-content/uploads/PDF/Incarcerated-Mothers-FINAL-2020.pdf>.

<sup>25</sup> Carlson, “Prison Nurseries: A Way to Reduce Recidivism,”; Alyssa Benedict and Deanne Benos, *The Gender Informed Practice Assessment* (Illinois: National Resource Center on Justice Involved Women, November 2016), 18, [https://storage.googleapis.com/wzukusers/user-22453992/documents/5c59c29f29a5fPBKS6pw/GIPA%20Summary%20November%2018%202016%20\(Distribution%20Nov%202018\).pdf](https://storage.googleapis.com/wzukusers/user-22453992/documents/5c59c29f29a5fPBKS6pw/GIPA%20Summary%20November%2018%202016%20(Distribution%20Nov%202018).pdf); Kimberly D. Dodson, LeAnn N. Cabage, and Shaina M. McMillan, “Mothering Behind Bars: Evaluating the Effectiveness of Prison Nursery Programs on Recidivism Reduction,” *The Prison Journal* 99, no. 5 (2019), <https://doi.org/10.1177/0032885519875037>.

<sup>26</sup> Ria Wolleswinkel, “Children of Imprisoned Parents,” in *Developmental and Autonomy Rights of Children: Empowering Children, Caregivers and Communities*, ed. Jan C.M. Willems (Inserentia, 2002), 194; Washington Post, “This Central Illinois Prison is Allowing Mothers to Raise their Babies Behind Bars. But is the Radical Experiment a Good Idea?” *Chicago Tribune*, updated August 2019, <https://www.chicagotribune.com/nation-world/ct-illinois-prison-babies-behind-bars-20180511-story.html>; Rebecca Tuxhorn, “I’ve Got Something to Live for Now: A Study of Prison Nursery Mothers,” *Critical Criminology* 30, no. 2 (January 2021), <https://doi.org/10.1007/s10612-020-09545-x>.

<sup>27</sup> Jessica Pishko, “The Rise of Prison Nurseries,” *Pacific Standard*, February 18, 2015, <https://psmag.com/news/the-rise-of-prison-nurseries-even-a-prison-cannot-ignore-biology>.

In New York, mothers and infants initially live in rooms equipped with two beds and two cribs and transition to a single room once the baby reaches four months.<sup>28</sup> In Ohio, the nursery has a kitchen, laundry room, living room, classroom, and a bathtub.<sup>29</sup> Meanwhile, in Illinois, cells—which are not barred—are repurposed to include cribs, changing tables, and murals.<sup>30</sup>

#### IV. Eligibility

Eligibility requirements vary widely across states. Typically, eligibility for nursery participation requires that women be pregnant at the time of incarceration, have no violent crime charges, and agree to participate in parenting programs.<sup>31</sup> Additional factors such as child protective services history, objections from the child’s other parent or family,<sup>32</sup> sole custody status,<sup>33</sup> medical restrictions, and infant health considerations may also influence eligibility.<sup>34</sup>

Placement decisions are typically made by internal corrections committees and often lack transparency. Appeal processes, when available, are often challenging to navigate without legal assistance.<sup>35</sup> Data on the number of women applying, being accepted, or denied entry into prison nursery programs is often not publicly reported, which raises questions about the fairness of the evaluation processes. Most programs impose sentence restrictions, requiring a mother’s release or parole eligibility date to fall within a specific period after delivery, typically between 18 and 36 months.<sup>36</sup> The duration of stay for infants in these programs varies, ranging from 18 to 36 months.<sup>37</sup> Longer stays have been associated with improved secure attachment outcomes, but shorter stays can also be effective, especially when no alternatives exist.<sup>38</sup>

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<sup>28</sup> Jane Silfen, “United States: Model Programming and Building Community at Bedford Hills Prison Nursery with Jane Silfen,” August 2023, in *International Prison Nursery Podcast* produced by Children of Incarcerated Caregivers, podcast, 40:07, <https://cicmn.org/podcast/united-states-model-programming-and-building-community-at-bedford-hills-prison-nursery-with-jane-silfen-episode-4/>.

<sup>29</sup> Kaitlin Thorne, “Prison Nurseries Allow ‘Intimate Moments’ Necessary for Childhood Development,” *Louisville Public Media*, July 18, 2022, <https://www.lpm.org/news/2022-07-18/prison-nurseries-allow-intimate-moments-necessary-for-childhood-development>.

<sup>30</sup> Washington Post, “This Central Illinois Prison is Allowing Mothers to Raise their Babies Behind Bars.”

<sup>31</sup> See Appendix 1.

<sup>32</sup> *Spotlight: Moms and Babies Program*, (Illinois: Addiction Policy Forum, Center for Health and Justice at Treatment Alternative for Safe Communities, and National Criminal Justice Association, 2017), [https://www.opioidlibrary.org/wp-content/uploads/2019/10/Spotlight\\_-\\_Moms-Babies.pdf](https://www.opioidlibrary.org/wp-content/uploads/2019/10/Spotlight_-_Moms-Babies.pdf).

<sup>33</sup> “Officer Breann Leath Maternal and Child Health Unit Eligibility Criteria,” Indiana Department of Corrections, accessed January 2024, <https://www.in.gov/idoc/mchu/eligibility-criteria/>.

<sup>34</sup> Lorie Goshin, “United States: Addressing the Core Needs of Both Child and Mother with Dr. Lorie Goshin,” July 2023, in *International Prison Nursery Podcast*, produced by Children of Incarcerated Caregivers, podcast, 34:14, <https://cicmn.org/podcast/united-states-addressing-the-core-needs-of-both-child-and-mother-with-dr-lorie-goshin-episode-2/>.

<sup>35</sup> Victoria Law, “Empty Cribs in Prison Nurseries,” *Jezebel*, May 13, 2018, <https://www.typeinvestigations.org/investigation/2018/05/13/incarcerated-mothers-prison-nurseries/>.

<sup>36</sup> See Appendix 1.

<sup>37</sup> See Appendix 1.

<sup>38</sup> Byrne et al., “Intergenerational Transmission of Attachment for Infants Raised in a Prison Nursery.”

Capacity ranges widely by state, from five to 25 beds per facility.<sup>39</sup> The number of pregnant women in prison custody often exceeds nursery bed capacity.<sup>40</sup> Despite this, an investigation by journalist Victoria Law found that most beds in prison nurseries were empty; of the 105 spots they obtained occupancy data for, only 49 were full.<sup>41</sup>

Notably, many programs have seen considerably less participation in recent years. One program's increased denials of applications to reside in the prison nursery were possibly linked to reported histories of violence in applicants' background records. Considering that a significant portion of incarcerated women have experienced victimization and domestic abuse, advocates argue for a more nuanced approach to eligibility criteria that takes into account the circumstances surrounding arrests and violence, recognizing the complex interplay between trauma, mental health, and violence.<sup>42</sup>

Prison nurseries are often limited to those convicted of low-level offenses. However, people of color are disproportionately targeted by the criminal legal system, facing higher rates of arrest, harsher charges, longer sentences, and increased surveillance compared to their white counterparts, despite similar levels of alleged criminal activity.<sup>43</sup> While demographic data on women in prison nursery programs is scarce, one study found that white women and their children make up between 33 percent and 70 percent of the population in these programs, varying by facility.<sup>44</sup> In contrast, Black women in the U.S. are incarcerated 1.6 times more often than white women, suggesting that the current structure of prison nurseries may not reflect the demographics of the general prison population.<sup>45</sup>

## V. Caregiving Dynamics and Institutional Constraints

Within nurseries, mothers serve as the primary caregivers for their child. Alternative caregivers step in when mothers are unavailable due to work, programming, or appointments. These caregivers may include corrections staff, nonprofit staff, or other incarcerated women, both from within the nursery and women in the general population.<sup>46</sup> Roslyn Smith, a former

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<sup>39</sup> See Appendix 1.

<sup>40</sup> Alex Ruppenthal, "Project Examines Pregnancy in Illinois, Cook County Prisons," *WTTW Chicago*, July 17, 2017, <https://news.wttw.com/2017/07/17/project-examines-pregnancy-illinois-cook-county-prisons>; Emma Ruth, "How 12 States are Addressing Family Separation by Incarceration — and Why They Can and Should Do More," Prison Policy Initiative, February 27, 2023, <https://www.prisonpolicy.org/blog/2023/02/27/caregivers/>.

<sup>41</sup> Law, "Empty Cribs in Prison Nurseries."

<sup>42</sup> Benedict and Benos, *The Gender Informed Practice Assessment*.

<sup>43</sup> Hinton, Henderson, and Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System*.

<sup>44</sup> Martin et al., "Incarcerated at Birth: An Integrative Review of Prison Nurseries in the United States," 6.

<sup>45</sup> Budd, "Incarcerated Women and Girls,"; Martin et al., "Incarcerated at Birth: An Integrative Review of Prison Nurseries in the United States," 6.

<sup>46</sup> South Dakota Department of Corrections Policies and Procedures, "Mother-Infant Program 1.5.F.05," December 2023, 5, <https://doc.sd.gov/documents/1.5.F.05%20Mother%20-%20Infant%20Program%20%2812.01.2023%29.pdf>; Jane

nursery mother at Bedford Hills described the community found among nursery mothers as “a sisterhood,” because the other women in the nursery were her support system.<sup>47</sup>

The programs typically enforce strict rules where women are subjected to intense scrutiny.<sup>48</sup> The approach is “compassionate, but tough” noted Shelith Hansboro, the former warden of Decatur Correctional Facility in Illinois, in a news interview. “We are going to be up in your business. We are going to be telling you things about how to raise your child that you might disagree with.”<sup>49</sup> Reports indicate that mothers in prison nurseries often feel constrained in their ability to create a home-like environment and in their decision-making authority especially when institutional expectations of motherhood conflict with cultural and personal parenting modalities.<sup>50</sup> “A lot of women, their babies were being used as a tool to control women on the inside,” shared Miyhosi Benton, of her experience at the Bedford Hills nursery.<sup>51</sup>

The dual nature of prison nurseries—serving as nurturing environments for mother-infant bonding while existing within the correctional system—reinforces a binary framework of maternal worthiness. It suggests that women are either “good” mothers deserving of the opportunity to care for their children or “bad” mothers who are punished with the separation from their child.<sup>52</sup> Dr. Carolyn Sufrin—an obstetrician-gynecologist whose work focuses on the intersection of reproductive justice, health care, and mass incarceration—argues that these programs promote an idealized view of motherhood, where “devotion to one’s baby, under the watchful carceral eyes, can be a woman’s path to redemption.”<sup>53</sup>

## VI. Programming and Community Partnerships

Prison nursery programs offer a range of programming and support services aimed at fostering maternal-infant bonding, improving parenting skills, and facilitating successful

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Silfen, “United States: Model Programming and Building Community at Bedford Hills Prison Nursery with Jane Silfen.”

<sup>47</sup> Roslyn Smith, Children of Incarcerated Caregivers 2023 Global Prison Nursery Network Symposium, December 12, 2023, Columbia University, video, 5:58:36,

[https://www.youtube.com/watch?v=ZMVikWqSSXM&ab\\_channel=ChildrenofIncarceratedCaregivers](https://www.youtube.com/watch?v=ZMVikWqSSXM&ab_channel=ChildrenofIncarceratedCaregivers).

<sup>48</sup> Caelan Rathke, “The Women Who Don’t Get Counted,” *Voices in Bioethics* 7 (September 2021): 3, <https://doi.org/10.52214/vib.v7i.8717>.

<sup>49</sup> Washington Post, “This Central Illinois Prison is Allowing Mothers to Raise their Babies Behind Bars.”

<sup>50</sup> Kate Luther and Joanna Gregson, “Restricted Motherhood: Parenting in a Prison Nursery,” *International Journal of Sociology of the Family* 37, no. 1 (Spring 2011), <https://www.jstor.org/stable/pdf/23029788.pdf>.

<sup>51</sup> Miyhosi Benton, Children of Incarcerated Caregivers 2023 Global Prison Nursery Network Symposium, December 12, 2023, Columbia University, video, 5:58:36,

[https://www.youtube.com/watch?v=ZMVikWqSSXM&ab\\_channel=ChildrenofIncarceratedCaregivers](https://www.youtube.com/watch?v=ZMVikWqSSXM&ab_channel=ChildrenofIncarceratedCaregivers).

<sup>52</sup> Rachel Feinstein, “Media Representation of Incarcerated Mothers: *Born Behind Bars*,” *Journal of Criminal Justice and Popular Culture* 21, no. 1 (July 2021): 154,

<https://static1.squarespace.com/static/5b0ee82df793927c77add8b6/t/6106bcc6edcea71eeb7b2d54/1627831494132/Behind+Bars+Feinstein.pdf>.

<sup>53</sup> Carolyn Sufrin, “Making Motherhood in Jail: Carceral Reproduction of Normative Motherhood,” *Reproductive BioMedicine and Society Online* 7 (2018): 61, <https://doi.org/10.1016/j.rbms.2018.10.018>.

reintegration into the community upon release. These can include parenting classes, vocational training, mental health counseling, and substance abuse treatment.

Collaborations between correctional facilities, nonprofit organizations, and community agencies play a critical role in enhancing the effectiveness and sustainability of these programs. For example, Hour Children—a New York nonprofit—oversees parenting programs at Bedford Hills Correctional Facility, including the nursery in partnership with the New York State Department of Corrections.<sup>54</sup> In Illinois, the Moms and Babies Program is a joint effort between the Illinois Department of Corrections, Treatment Alternative for Safe Communities (TASC), and community partners.<sup>55</sup>

Community partnerships not only expand the range of services offered but also reduce costs for state departments of corrections through other public funding and community donations. Many prison nurseries enroll infants in their state's Early Head Start, have medical costs covered by Medicaid, and nutritional needs provided by Women and Infant Children Services (WIC).<sup>56</sup> Nursery programs also rely on community donations for infant necessities.<sup>57</sup>

## VII. Reentry into the Community

A mother's date of release typically must fall before their child reaches a certain age cut-off, so the pair can leave prison together.<sup>58</sup> However, transitioning from a carceral environment to full parenting autonomy poses significant challenges for many.<sup>59</sup> A lack of reentry programs, especially for formerly incarcerated women and their children complicates this transition.<sup>60</sup> For instance, women released from prison nurseries may find themselves sent to community substance abuse facilities that do not allow children.<sup>61</sup> Nina Porter, who was released from Indiana's nursery in 2011 with her daughter described the complex transition: "To set a

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<sup>54</sup> Silfen, "United States: Model Programming and Building Community at Bedford Hills Prison Nursery with Jane Silfen."

<sup>55</sup> *Spotlight: Moms and Babies Program*.

<sup>56</sup> Mylana Chico and Katherine Moore, "KIDS Program Allows Infants to Stay with Their Incarcerated Mothers for up to 18 Months at Lakin," *States of Incarceration*, accessed January 2024, <https://statesofincarceration.org/story/kids-program-allows-infants-stay-their-incarcerated-mothers-18-months-lakin-part-i>; United States Government Accountability Office, *Pregnant Women in State Prisons and Local Jails: Federal Assistance to Support Their Care GAO-25-106404* (October 2024), 70, <https://www.gao.gov/assets/gao-25-106404.pdf>.

<sup>57</sup> Chico and Moore, "KIDS Program Allows Infants to Stay with Their Incarcerated Mothers,"; Silfen, "United States: Model Programming and Building Community at Bedford Hills Prison Nursery with Jane Silfen."

<sup>58</sup> See Appendix I.

<sup>59</sup> Luther and Gregson, "Restricted Motherhood: Parenting in a Prison Nursery," 98.

<sup>60</sup> J. Mark Eddy, Hyo-Mi Pak, Claudia Reino, and Andrea Reino, "A Review of Reentry Programs and Their Inclusion of Families," in *Children of Incarcerated Parents: Integrating Research into Best Practices and Policy*, ed. Judy Krysiak and Nancy Rodriguez (Springer Nature, 2022), 160.

<sup>61</sup> Lorie S. Goshin, Mary W. Byrne, and Barbara Blanchard-Lewis, "Preschool Outcomes of Children Who Lived as Infants in a Prison Nursery," *Prison Journal* 94, no. 2 (June 2014): 153, <https://doi.org/10.1177/0032885514524692>.



mother and child on the other side of that fence from incarceration and say, ‘Go ahead. Be a great mom. Have a good day.’ ... It’s ludicrous.”<sup>62</sup>

Thus, Porter began Mothers on the Rise, a network of support for women raising children in the Indiana nursery as they reintegrate into their communities. The program offers comprehensive support, including coordinated visits by a team of prison staff, home visit teams, nurses, community navigators, and social workers while the mother is in the nursery and throughout the first year of release. Mothers are provided with \$1,000 for essentials including clothing, hygiene products, and infant care supplies, along with a laptop. Community navigators work closely with the mother to assist with education, healthcare, and other social services support.<sup>63</sup>

Similarly, TASC in Illinois provides ongoing case management, home visits, and referrals to services and support in the community for mothers and their infants released from Illinois’ nursery.<sup>64</sup> Ensuring stability and support during the critical early years of life is paramount for mother-child attachment. Transitional planning, as facilitated by programs like Mothers on the Rise and TASC is “crucial for infants whose attachment is supported by corrections programs and then interrupted by them early in the first year, but remains important for scheduled releases as well.”<sup>65</sup>

## VIII. Looking Forward

In a 1999 publication in the *Stanford Law & Policy Review*, the authors posed a critical inquiry for policymakers of the twenty-first century: Should they seek to replicate the existing mother-baby program model in women’s correctional facilities across the nation or provide higher quality, lower cost, community-based alternatives?<sup>66</sup> Since then, there has been a concerted effort on the part of state legislatures and departments of corrections in a handful of states to expand prison nursery programs and, on the part of researchers and advocates, to push for community-based alternatives.

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<sup>62</sup> Samantha Johnson, “Mothers on the Rise: Supporting Incarcerated Mothers and Their Babies,” *WTHR Indianapolis*, July 13, 2022, <https://www.wthr.com/article/news/local/mothers-on-the-rise-supporting-incarcerated-mothers-and-their-babies-indiana/531-b01d297c-f4c3-4322-a863-19b4a5fe76f6>.

<sup>63</sup> Ashley Mager et al., “Creating a Coordinated System of Care for Mother-Baby Pairs Transitioning from a Prison Nursery to Their Home Community,” *Advancing Corrections Journal* 1, no. 13 (2022) <https://fairbanks.indianapolis.iu.edu/doc/research-centers/ACJ13-A009Creating-a-coordinated-system-of-care-for-mother-baby-pairs-transitioning.pdf>.

<sup>64</sup> *Spotlight: Moms and Babies Program*.

<sup>65</sup> Byrne et al., “Intergenerational Transmission of Attachment for Infants Raised in a Prison Nursery,” 389.

<sup>66</sup> Leslie Acoca and Myrna S. Raeder, “Severing Family Ties: The Plight of Non Violent Female Offenders and Their Children,” *Stanford Law & Policy Review* 11 no. 1 (1999): 139, [https://www.girlshealthandjustice.org/wp-content/uploads/2015/08/SeveringFamilyTies\\_AcocaRaeder.pdf](https://www.girlshealthandjustice.org/wp-content/uploads/2015/08/SeveringFamilyTies_AcocaRaeder.pdf).

Attempts to establish prison nurseries across the country have yielded mixed results. For instance, despite readiness to open, the newly built nursery at the Wyoming Women’s Center remained closed due to funding and staffing issues.<sup>67</sup> However, in an interview with women currently incarcerated at the Wyoming Women’s Center, they identified their desire for a facility focused on reintegration support over a nursery.<sup>68</sup>

In Utah, the Department of Corrections was unable to secure funding during the 2023 state legislature session to fund the 4-bed nursery at the newly constructed Utah State Correctional Facility.<sup>69</sup> However, in 2024, the Utah Penal Code was amended, prohibiting the Department of Corrections from establishing a nursery. Instead, the Department was directed to create a diversion program for mothers and their infants.<sup>70</sup>

In 2022, Missouri’s legislature passed a bipartisan bill mandating the state Department of Corrections to establish a 14-bed prison nursery by July 2025.<sup>71</sup> However, Lorie Goshin and Rebecca Schlafer—two forefront practitioners and scholars whose work centers on maternal incarceration and health outcomes—argued for state support of community alternatives instead.<sup>72</sup> They call attention to Minnesota’s Healthy Start Act, which allows incarcerated women who are pregnant to live with their child in community settings.<sup>73</sup> However, in 2022 and 2023, more women were deemed ineligible than offered Healthy Start release—11 compared to 27.<sup>74</sup>

Goshin and Schlafer argue that the augmentation of parent-child relationship-promoting programs, such as prison nurseries, “should not come at the expense of programs designed to support economic self-sufficiency or recovery from substance abuse,” emphasizing the need for programs that address the many social needs that make people vulnerable to criminal legal

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<sup>67</sup> Jackson Rambough, “Born Behind Bars: Wyoming’s Approach to Pregnancy in Prison,” *WyoFile*, May 29, 2018, <https://wyofile.com/born-behind-bars-wyomings-approach-to-pregnancy-in-prison/>.

<sup>68</sup> Maggie Mullen, “Without Staff, Wyoming Mother-Child Prison Remains Vacant,” *Wyoming Public Radio*, October 14, 2016, <https://www.wyomingpublicmedia.org/open-spaces/2016-10-14/without-staff-wyoming-mother-child-prison-unit-remains-vacant>.

<sup>69</sup> Emily Anderson Stern, “The Utah Legislature Didn’t Fund Utah’s Prison Nursery. Here’s Why,” *The Salt Lake Tribune*, April 27, 2023, <https://www.sltrib.com/news/politics/2023/04/27/utahs-prison-is-trying-launch/>.

<sup>70</sup> Pregnant and Postpartum Inmate Amendments, H.B. 358, General Session State of Utah (2024) (enacted), <https://le.utah.gov/~2024/bills/static/HB0358.html>.

<sup>71</sup> Kurt Erickson, “Missouri Prison Nursery Program Expanding Before it Launches,” *Saint Louis Post Dispatch*, December 13, 2023, [https://www.stltoday.com/news/local/crime-courts/missouri-prison-nursery-program-expanding-before-it-launches/article\\_e8c3c348-99ef-11ee-8474-b327b06638f4.html](https://www.stltoday.com/news/local/crime-courts/missouri-prison-nursery-program-expanding-before-it-launches/article_e8c3c348-99ef-11ee-8474-b327b06638f4.html).

<sup>72</sup> Lorie S. Goshin and Rebecca J. Schlafer, “Letter to the Editor: Community Alternatives Make Sense,” *The Missouri Times*, August 23, 2021, <https://themoissouritimes.com/community-alternatives-make-sense/>.

<sup>73</sup> Angela Rose Myers and Carley Mossbrook Addy, “Minnesota and the Healthy Start Act Report,” (MN: Children of Incarcerated Caregivers), 2024, <https://cicmn.wpenginepowered.com/wp-content/uploads/2024/01/FINAL-MN-Healthy-Start-Act.pdf>.

<sup>74</sup> *2022 and 2023 Legislative Report: Healthy Start Act* (MN: Minnesota Department of Corrections, April 2024), 8-9, [https://mn.gov/doc/assets/2022-23%20DOC%20Healthy%20Start%20Report\\_tcm1089-620141.pdf](https://mn.gov/doc/assets/2022-23%20DOC%20Healthy%20Start%20Report_tcm1089-620141.pdf).

involvement in the first place.<sup>75</sup> The scarcity of alternatives to detention should be a reason to increasingly invest in them, instead of restricting their use, argue Goshin and Shlafer.<sup>76</sup>

## IX. Alternatives to Prison Nurseries

Few states—California, Minnesota, Missouri, New Jersey, Texas, and Wisconsin—have laws that create or authorize community-based alternatives for infants to reside with their incarcerated mothers outside of prisons and jails.<sup>77</sup> Others have community-based programs, though not legislatively mandated.<sup>78</sup> While most states intervene after the pregnant or postpartum individual has been sentenced to prison, Illinois, Tennessee, and Maryland all have pre-trial alternative sentencing mechanisms in place for pregnant people in custody.<sup>79</sup> Still, there remains considerable divergence across states in terms of who is eligible to participate, the services offered, when the intervention takes place, and whether or not the law prevents the separation of a mother from their newborn.<sup>80</sup>

The California Participant Mother Program (CPMP), and the Baby and Mother Bonding Initiative (BAMBI), are two community-based alternatives for pregnant incarcerated women and those with young children. The CPMP, located on “a beautifully landscaped state of the art child-friendly campus” in Santa Fe Springs, California, is a community treatment program for pregnant individuals and mothers with up to two children, up to six years of age.<sup>81</sup> The program utilizes the “least restrictive alternative to incarceration consistent with the need for public safety.”<sup>82</sup> Mothers develop individual treatment plans with programming focused on trauma-informed substance abuse prevention, parenting, and educational skills. While the facility is supervised by the California Department of Corrections, mothers can go out into the community and children are enrolled in the local elementary school.<sup>83</sup>

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<sup>75</sup> Goshin et al., “Preschool Outcomes of Children Who Lived as Infants in a Prison Nursery,” 11.

<sup>76</sup> Goshin and Shlafer, “Letter to the Editor: Community Alternatives Make Sense.”

<sup>77</sup> Center for Leadership Education in Maternal and Child Public Health, *Alternatives to Incarceration for Pregnant and Postpartum People in the U.S.* (University of Minnesota School of Public Health, Spring 2023), 3-4, <https://mch.umn.edu/wp-content/uploads/2023/03/JIWC-Policy-Brief-Alternatives-to-Sentencing-3.2023-1.pdf>.

<sup>78</sup> Center for Leadership Education in Maternal and Child Public Health, *Alternatives to Incarceration for Pregnant and Postpartum People in the U.S.*

<sup>79</sup> Center for Leadership Education in Maternal and Child Public Health, *Alternatives to Incarceration for Pregnant and Postpartum People in the U.S.*, 3-4.

<sup>80</sup> Center for Leadership Education in Maternal and Child Public Health, *Alternatives to Incarceration for Pregnant and Postpartum People in the U.S.*, 1.

<sup>81</sup> “Community Participant Mother Program,” California Department of Corrections and Rehabilitation, accessed September 2024, <https://www.cdcr.ca.gov/rehabilitation/pre-release-community-programs/cmpm/>.

<sup>82</sup> California Department of Corrections and Rehabilitation, “Community Participant Mother Program.”

<sup>83</sup> Charles Paxton, “Division of Rehabilitative Programs Community Participant Mother Program,” May 2024, in *California Department of Corrections and Rehabilitation Unlocked*, produced by the California Department of Corrections and Rehabilitation, podcast, 19:49, <https://rss.com/podcasts/cdcrunlocked/1482171>.

BAMBI allows mothers referred by the Texas Department of Criminal Justice (TDCJ) and their newborns to bond in a residential facility for up to 12 months.<sup>84</sup> TDCJ partners with the University of Texas Medical Branch at Galveston and the Santa Maria Hotel—one of the few substance use disorder treatment centers to provide services for women who are pregnant or parenting in Texas—to run the program.<sup>85</sup> BAMBI provides mothers with child development education, life skills, infant first aid and CPR, nutrition, peer recovery, anger management, and family reunification sessions.<sup>86</sup> Both mother and infant are released together at the end of the sentence, assisted by an individualized treatment plan.<sup>87</sup>

Still, similar to in-prison nursery programs, these alternatives do not serve all pregnant incarcerated women. BAMBI has strict requirements and limited capacity.<sup>88</sup> While approximately 250 babies are born in TDCJ custody each year, most new mothers in Texas prisons must surrender their babies within a matter of hours or days.<sup>89</sup> “That is not all of the women and children who deserve to remain together, right?” questions Lorie Goshin.<sup>90</sup>

## X. Conclusion

Prison nursery programs in the U.S. involve a complex interplay between the goal of promoting maternal-infant bonding and the limitations imposed by the prison environment. While studies show that these programs could offer an opportunity for fostering early attachment and reducing recidivism rates, inconsistent programming, restrictive eligibility criteria leading to underutilization, and the broader challenges associated with raising children in correctional environments, suggest a need for reevaluation.

Given the growing number of incarcerated women and their unique needs as mothers, it is imperative to continue to assess the use of prison nursery programs. Non-custodial community alternatives that address root causes of incarceration—such as substance abuse, economic insecurity, and trauma—while also maintaining familial bonds offer a promising approach. Overall, an individualized approach that considers the specific circumstances of incarcerated women and their children, rather than a one-size-fits-all model is needed.

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<sup>84</sup> “Baby and Mother Bonding Initiative (BAMBI),” Rehabilitation Programs Division, Texas Department of Criminal Justice, accessed October 2024, <https://www.tdcj.texas.gov/divisions/rpd/bambi.html>.

<sup>85</sup> “BAMBI (Baby and Mother Bonding Initiative),” Our Programs, Santa Maria Hostel, accessed October 2024, <https://www.santamariahostel.org/our-programs/baby-and-mother-bonding-initiative/>.

<sup>86</sup> Texas Department of Criminal Justice, “Baby and Mother Bonding Initiative (BAMBI).”

<sup>87</sup> Texas Department of Criminal Justice, “Baby and Mother Bonding Initiative (BAMBI).”

<sup>88</sup> Cynthia Simons and Chloe Craig, *Motherhood and Pregnancy Behind Bars: Texas Must Rethink How It’s Treating Mothers and Families* (Texas Center for Justice and Equity, May 2022), 6, <https://texascjc.org/system/files/publications/2022-05/motherhood-and-pregnancy-behind-bars-tcje.pdf>.

<sup>89</sup> Simons and Craig, *Motherhood and Pregnancy Behind Bars*, 6.

<sup>90</sup> Goshin, “United States: Addressing the Core Needs of Both Child and Mother with Dr. Lorie Goshin.”

## Appendix 1: Prison Nursery Program Details by Facility

| Program Name   | Correctional Facility, City, State                           | Length of Stay                       | Capacity                      | Mother's Date of Release  |
|--|--|--------------------------------------|-------------------------------|---|
| The Moms and Babies Program  | Decatur Correctional Facility, Decatur, Illinois             | Up to two years (2023) <sup>91</sup> | 8 women (2017) <sup>92</sup>  | Must be within 2 years of release (2017) <sup>93</sup>  |
| The Officer Breann Leath Maternal and Child Health Unit, <i>formerly known as the Wee Ones Nursery</i> | Indiana Women's Prison, Indianapolis, Indiana                | 18 months (2016) <sup>94</sup>       | 10 women (2016) <sup>95</sup> | The earliest release date is 26 months or less from the projected delivery date (2024) <sup>96</sup>                            |
| Achieving Baby Care Success <sup>97</sup>  | Ohio Reformatory for Women, Marysville, Ohio                 | 36 months (2017)                     | 24 women (2017)               | The sentence must be less than 36 months (2017)   |
| Hour Children's Nursery  | Bedford Hills Correctional Facility, Bedford Hills, New York | 18 months (2024) <sup>98</sup>       | 25 women (2021) <sup>99</sup> | The child can stay for up to 18 months if the mother will be paroled by then, otherwise the child must leave the facility at 12 |

<sup>91</sup> Ruth, "How 12 States are Addressing Family Separation by Incarceration — and Why They Can and Should Do More."

<sup>92</sup> Ruppenthal, "Project Examines Pregnancy in Illinois, Cook County Prisons."

<sup>93</sup> *Spotlight: Moms and Babies Program.*

<sup>94</sup> Fritz and Whiteacre, "Prison Nurseries: Experiences of Incarcerated Women during Pregnancy," 4.

<sup>95</sup> Fritz and Whiteacre, "Prison Nurseries: Experiences of Incarcerated Women during Pregnancy," 4.

<sup>96</sup> Indiana Department of Corrections, "Officer Breann Leath Maternal and Child Health Unit Eligibility Criteria."

<sup>97</sup> Lynn Hulsey, "Mom Feels Blessed to Have Child with Her in Prison," *Dayton Daily News*, May 15, 2017, <https://www.daytondailynews.com/news/crime-law/mom-feels-blessed-have-child-with-her-prison/QkKlqBcOsiZkIVue427LjI/>.

<sup>98</sup> "Prison Based Family Services Programs," Hour Children, accessed May 2024, <https://hourchildren.org/how-we-help/prison-based-family-services-programs/>.

<sup>99</sup> Silfen, "United States: Model Programming and Building Community at Bedford Hills Prison Nursery with Jane Silfen."

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|--|---|---------------------------------------|---|--|
|  |   |                                       |   | months of age (2009) <sup>100</sup>  |
| Parenting Program                            | Nebraska Correctional Center for Women, York County, Nebraska | 18 months (2017) <sup>101</sup>       | 15 women (2020) <sup>102</sup>  | 18 months; can be extended at staff discretion (2009) <sup>103</sup>   |
| Mother-Infant Program                        | South Dakota Women's Prison, Pierre, South Dakota             | 30 months (2023) <sup>104</sup>       | No limit (2009) <sup>105</sup>  | The initial parole eligibility date or next parole review date must be within 30 months of the infant's birth. |
| Keeping Infant Development Successful (KIDS) | Lakin Correctional Center, West Columbia, West Virginia       | Up to 18 months (2020) <sup>106</sup> | Five women; there is more room allotted for babies, in case of twins (n.d) <sup>107</sup> | Parole or release date must be within 18 months (2009) <sup>108</sup>  |

<sup>100</sup> Chandra Kring Villanueva, *Mothers, Infants and Imprisonment A National Look at Prison Nurseries and Community-Based Alternatives* (NY: Women's Prison Association, May 2009), 28,

[https://www.wpaonline.org/wp-content/uploads/2024/10/Mothers\\_Infants\\_and\\_Imprisonment\\_2009.pdf](https://www.wpaonline.org/wp-content/uploads/2024/10/Mothers_Infants_and_Imprisonment_2009.pdf).

<sup>101</sup> ACLU Nebraska, *Let Down and Locked Up: Nebraska Women in Prison*, (October 2017),

<https://www.aclunebraska.org/en/publications/let-down-and-locked-nebraska-women-prison>.

<sup>102</sup> Fiscal Note of Change Provisions Under the Healthy Pregnancies for Incarcerated Women Act, Nebraska Legislature LB1171, 116th Legislature, (2020): 1,

[https://www.nebraskalegislature.gov/FloorDocs/106/PDF/FN/LB1171\\_20200211-132220.pdf](https://www.nebraskalegislature.gov/FloorDocs/106/PDF/FN/LB1171_20200211-132220.pdf).

<sup>103</sup> Kring Villanueva, *Mothers, Infants and Imprisonment*, 28.

<sup>104</sup> South Dakota Department of Corrections Policies and Procedures, "Mother-Infant Program 1.5.F.05," 1.

<sup>105</sup> Kring Villanueva, *Mothers, Infants and Imprisonment*, 29.

<sup>106</sup> Rayna E. Momen, *Mountain State Women Aren't Always Free: The State of Women's Incarceration in West Virginia* (Charleston, WV: West Virginia Center on Budget and Policy, 2020), 10,

<https://wvpolicy.org/wp-content/uploads/2020/12/WVCBP-Women-Incarceration-Report-.pdf>.

<sup>107</sup> Chico and Moore, "KIDS Program Allows Infants to Stay with Their Incarcerated Mothers."

<sup>108</sup> Kring Villanueva, *Mothers, Infants and Imprisonment*, 29.