



Children of Incarcerated Caregivers

## **2025 United States Federal Prison Nursery Report**

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In the United States (U.S.), pregnant women in federal custody have access to two prison nursery programs: Mothers and Infants Nurturing Together (MINT) and the Residential Parenting Program (RPP). The MINT program allows eligible participants to spend up to 12 months postpartum with their infant in halfway house facilities, or Residential Reentry Centers (RCCs), across the country. The RPP permits incarcerated mothers to live with their infant for up to 30 months after birth at the Washington Corrections Center for Women (WCCW).<sup>1</sup>

Although federal and state agencies provide a baseline of services for incarcerated mothers and their infants, the scope and quality of programming and resources vary significantly by site. Nonprofits and community agencies bridge resource gaps and supplement programming.

Despite a rise in the rates of incarceration for women, many of whom are pregnant or mothers at the time of their incarceration, federal research suggests that prison nursery programs have been underutilized. Legislation has sought to expand access and reduce barriers to program participation. Nonetheless, many advocates argue for the increased investment in community-based alternatives that better support the well-being of incarcerated pregnant and postpartum women and their children.

This report examines the MINT and RPP programs, assessing their structure, programming, and how they address the needs of incarcerated mothers. It highlights key issues, including low program utilization, restrictive eligibility criteria, inconsistent resources, and findings from federal oversight. Finally, the report explores recent legislative and advocacy efforts, including the push for more community-based alternatives.

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<sup>1</sup> While RPP is operated by the Washington Department of Corrections (WADOC), an intergovernmental contract between WADOC and the Bureau of Prisons (BOP) allows women in federal custody who meet eligibility criteria to participate. Although RPP is a state-run program, many sources—including this report—group RPP and MINT together for analysis.

## I. Federal Prison System

Within the Department of Justice (DOJ), the Bureau of Prisons (BOP) operates the U.S. federal prison system, which is responsible for housing individuals convicted of federal crimes or awaiting trial for violating federal laws.<sup>2</sup> Nationally, BOP operates 122 institutions,<sup>3</sup> with 27 designated for housing women.<sup>4</sup>

Over the past four decades, incarceration rates in the U.S. have surged, especially for women. Between 1980 and 2022, the number of incarcerated women across local, state, and federal institutions rose from 26,326 to 180,684, an increase of more than 585 percent.<sup>5</sup>

Black women, who comprise only 13 percent of the U.S. population but 30 percent of the prison population, are disproportionately impacted by the criminal legal system.<sup>6</sup> In 2022, the imprisonment rate for Black women was 1.6 times that of white women.<sup>7</sup> This is fueled by systemic inequalities, such as racially targeted law enforcement, uneven access to legal representation, and prosecutorial discretion.<sup>8</sup>

### Acronym Key

BOP - Federal Bureau of Prisons  
DOJ - Department of Justice  
EHS - Early Head Start  
GAO - Government Accountability Office  
MINT - Mothers and Infants Nurturing Together  
OIG - Office of the Inspector General  
PSESD - Puget Sound Education Service District  
RPP - Residential Parenting Program  
RCC - Residential Reentry Center  
SNAP - Supplemental Nutrition Assistance Program  
TANF - Temporary Aid to Needy Families  
UW SPHSC - University of Washington Speech and Hearing Sciences  
WADOC - Washington Department of Corrections  
WCCW - Washington Corrections Center for Women  
WIC - Special Supplemental Nutrition Program for Women, Infants, and Children

<sup>2</sup> “Federal Inmates,” Federal Bureau of Prisons, accessed February 4, 2024, <https://www.bop.gov/inmates/>.

<sup>3</sup> “Our Locations,” Federal Bureau of Prisons, <https://www.bop.gov/locations/>.

<sup>4</sup> Jennifer Knox (National Policy and Program Coordinator, Women and Special Populations Branch, Bureau of Prisons), in an interview with the author, December 18, 2023.

<sup>5</sup> Kristen M. Budd, “Incarcerated Women and Girls,” The Sentencing Project, updated July 2024, <https://www.sentencingproject.org/app/uploads/2023/05/Incarcerated-Women-and-Girls-1.pdf>.

<sup>6</sup> Danielle Malangone, *Understanding the Needs of Justice-Involved Black Women* (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>7</sup> Budd, “Incarcerated Women and Girls.”

<sup>8</sup> Elizabeth Hinton, LeShae Henderson, and Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (Vera Institute of Justice, 2018), <https://www.vera.org/downloads/publications/for-the-record-unjust-burden-racial-disparities.pdf>.

In February 2025, of the 155,022 individuals incarcerated in federal custody, 9,954 were women (6.4 percent),<sup>9</sup> according to federal statistics.<sup>10</sup> A significant majority of women who are incarcerated are mothers: 89 percent incarcerated in BOP custody in 2022, and 67 percent had at least one child under the age of 18.<sup>11</sup>

Many of these women will serve parts of their sentence while pregnant. Before the passage of the First Step Act in 2018, the BOP was not mandated to collect or report annual data on critical statistics of those incarcerated in federal facilities, including the number of pregnant women in their care and the outcomes of such pregnancies. Consequently, federal statistics have “most likely grossly underestimated the number of children separated from their mothers due to incarceration” and provided incomplete data on the placements of children born in federal custody.<sup>12</sup>

According to the First Step Act, 123 pregnant women for whom the birth outcome was known were held in BOP custody during 2023, increasing from 96 and 74 women in 2022 and 2021, respectively.<sup>13</sup> However, fewer pregnant women are being held now than before the coronavirus pandemic—180 in 2019 and 171 in 2018.<sup>14</sup>

About half of reported pregnancies result in a live birth while in custody.<sup>15</sup> The BOP maintains that “as long as there is not a safety concern, mothers are given time in the hospital to bond with their infant.”<sup>16</sup> Yet, in practice, newborns are typically separated from their incarcerated mothers within the first 24 hours postpartum.<sup>17</sup>

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<sup>9</sup> The author uses the terms “woman” and “mother” throughout this report to remain consistent with the sources cited, many of which use administrative data collected along the male and female binary. However, we acknowledge that people of many different gender identities can become pregnant.

<sup>10</sup> “Statistics,” About Us, Federal Bureau of Prisons, accessed March 2025, [https://www.bop.gov/about/statistics/population\\_statistics.jsp#:~:text=158%2C138%20%20Total%20%20Federal%20Inmates,Last%20%20Updated%20%20August%2010%2C%202023](https://www.bop.gov/about/statistics/population_statistics.jsp#:~:text=158%2C138%20%20Total%20%20Federal%20Inmates,Last%20%20Updated%20%20August%2010%2C%202023).

<sup>11</sup> Adrienne McCormick, “Maintaining Family Ties in the Federal Prison System,” (PowerPoint presentation for The National Reentry Resource Center, 2022) <https://nationalreentryresourcecenter.org/sites/default/files/inline-files/MaintainingFamilyTies508.pdf>.

<sup>12</sup> Lorie Goshin, “Ethnographic Assessment of an Alternative to Incarceration for Women with Minor Children,” *American Journal of Orthopsychiatry* 85, no. 5 (2015): 470, <https://doi.org/10.1037/ort0000097>.

<sup>13</sup> Derek Mueller, *Federal Prisoner Statistics Collected Under the First Step Act, 2024*, (United States Department of Justice Bureau of Justice Statistics, December 2024), 6, <https://bjs.ojp.gov/document/fpscufsa24.pdf>.

<sup>14</sup> E. Ann Carson, *Federal Prisoner Statistics Collected Under the First Step Act, 2023*, (United States Department of Justice Bureau of Justice Statistics, November 2023), 6, <https://bjs.ojp.gov/document/fpscufsa23.pdf>.

<sup>15</sup> Mueller, *Federal Prisoner Statistics Collected Under the First Step Act, 2024*, 6.

<sup>16</sup> McCormick, “Maintaining Family Ties in the Federal Prison System,” 21.

<sup>17</sup> Nicolette Wolfrey, “Incarceration Harms Moms and Babies,” National Partnership for Women and Families, June 2021, <https://nationalpartnership.org/wp-content/uploads/2023/02/incarceration-hurts-moms.pdf>.

## II. Mothers and Infants Nurturing Together (MINT)

In some U.S. states and federally, prison nursery programs exist as an alternative to mother-infant separation due to incarceration. BOP's Residential Reentry Management Branch runs the Mothers and Infants Nurturing Together (MINT) program. Established in the 1980s,<sup>18</sup> this "community-based residential program aims to help women incarcerated in federal prisons prepare for delivery and bond with their infant."<sup>19</sup> Operating out of Residential Reentry Centers (RCCs), or halfway houses,<sup>20</sup> the BOP contracts with nonprofits and private organizations,<sup>21</sup> to provide a "safe, structured, supervised environment."<sup>22</sup>

Women accepted into MINT are transferred from the BOP facility where they have been sentenced to one of five RCCs, located in Phoenix, Arizona; Tallahassee, Florida; Springfield, Illinois; Fort Worth, Texas; and Hillsboro, West Virginia.<sup>23</sup> Placement is based on proximity to the BOP facility or to the incarcerated woman's family.<sup>24</sup> In 2017, BOP ended the MINT program at RCCs in San Francisco, California, and Hartford, Connecticut, due to the sites' inability to comply with contract requirements for running the program.<sup>25</sup>

The Female Offender Manual, the primary policy addressing the operation of the federal nursery program,<sup>26</sup> dictates that BOP social workers are to meet with incarcerated women to inform them of pregnancy programs, including MINT and RPP, after a pregnancy has been

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<sup>18</sup> Chandra Kring Villanueva, "Mothers, Infants and Imprisonment: A National Look at Prison Nurseries and Community-Based Alternatives," Women's Prison Association, May 2009, [https://www.prisonlegalnews.org/media/publications/womens\\_prison\\_assoc\\_report\\_on\\_prison\\_nurseries\\_and\\_community\\_alternatives\\_2009.pdf](https://www.prisonlegalnews.org/media/publications/womens_prison_assoc_report_on_prison_nurseries_and_community_alternatives_2009.pdf).

<sup>19</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons' Management of Its Female Inmate Population* (Washington, DC: Office of the Inspector General, 2018), 9, <https://oig.justice.gov/reports/2018/e1805.pdf>.

<sup>20</sup> "Residential Reentry Management Centers," Federal Bureau of Prisons, accessed January 2, 2024, [https://www.bop.gov/about/facilities/residential\\_reentry\\_management\\_centers.jsp](https://www.bop.gov/about/facilities/residential_reentry_management_centers.jsp).

<sup>21</sup> Roxanne Daniel and Wendy Sawyer, "What You Should Know about Halfway Houses," Prison Policy Initiative, September 2020, <https://www.prisonpolicy.org/blog/2020/09/03/halfway/>.

<sup>22</sup> Federal Bureau of Prisons, "Residential Reentry Management Centers."

<sup>23</sup> "Female Offenders," Federal Bureau of Prisons, accessed January 2, 2024, [https://www.bop.gov/inmates/custody\\_and\\_care/female\\_offenders.jsp](https://www.bop.gov/inmates/custody_and_care/female_offenders.jsp).

<sup>24</sup> Knox, interview.

<sup>25</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons' Management of Its Female Inmate Population*, 9.

<sup>26</sup> Since Donald Trump's second presidential term began in January 2025, many federal datasets, policies, and resources documenting economic, social, and health information have been removed from public access. "Data are not just numbers—they represent real people, real experiences, and real disparities," writes the Leadership Conference on Civil and Human Rights. "These rollbacks not only threaten the integrity of scientific research but are a deliberate attempt to suppress visibility and recognition of underserved communities." While this report cites sources that may no longer be publicly available, the author has made every effort to indicate where these sources previously existed. (Caroline Medina, Naomi Goldberg, and Meeta Anand, "Disappearing Data: Why We Must Stop Trump's Attempts to Erase Our Communities," *The Leadership Conference on Civil and Human Rights*, blog, February 20, 2025, <https://civilrights.org/blog/disappearing-data-why-we-must-stop-trumps-attempts-to-erase-our-communities/>).

confirmed.<sup>27</sup> Women may either go through the application process at a BOP facility or be transported directly to an RCC after sentencing. Medical evaluations are conducted whenever possible before arrival at a BOP facility to ensure placement directly into a MINT site. Women accepted to MINT are typically transferred to an RRC during the last two months of their pregnancy.<sup>28</sup>

To be eligible for MINT, women in BOP custody must be pregnant upon commitment, have a delivery date prior to their release date, be eligible for halfway house placement, and assume financial responsibility for their child's care while in the program. Applications are automatically denied if a woman gets pregnant on furlough, has plans to give their child up for adoption, or has more than five years remaining on her sentence(s).<sup>29</sup>

The BOP incurs the cost of the mother while in MINT, and the mother or an approved guardian must assume the financial responsibility for the child's daily care, medical costs, and other support while in the program.<sup>30</sup> The BOP does not require the mother or outside guardian to demonstrate the availability of funds to care for the child, and "does not maintain or track the cost of supporting the child," so potential participants don't know what costs to expect.<sup>31</sup>

The BOP also covers the cost of the baby for the first three days after a vaginal birth and up to seven days after a Cesarean birth.<sup>32</sup> After that period, the mother can apply for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), the Supplemental Nutrition Assistance Program (SNAP), and Medicaid to assist with the costs of care.<sup>33</sup>

Should the mother or approved guardian be unwilling or unable to provide financial support for the child, the mother will be transferred back to the BOP facility where she was sentenced, and the child will be removed from the program.<sup>34</sup>

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<sup>27</sup> Federal Bureau of Prisons, *Female Offender Manual* (United States Department of Justice, July 2022), 19, <https://federalcriminaldefenseattorney.com/wp-content/uploads/2025/02/Female-Offender-Manual-%E2%80%93-BOP-Program-Statement-5200.07.pdf>.

<sup>28</sup> Federal Bureau of Prisons, *Female Offender Manual*, 19.

<sup>29</sup> Federal Bureau of Prisons, *Female Offender Manual*, 19.

<sup>30</sup> Federal Bureau of Prisons, *Female Offender Manual*, 19.

<sup>31</sup> Knox, interview.

<sup>32</sup> Federal Bureau of Prisons, *Female Offender Manual*, 19.

<sup>33</sup> Knox, interview.

<sup>34</sup> Federal Bureau of Prisons, *Female Offender Manual*.



Figure 1: MINT program facility in Fort Worth, Texas <sup>35</sup>

Women can participate in MINT for a period of three to 12 months,<sup>36</sup> but the Female Offender Manual recommends a minimum of six months in the program.<sup>37</sup> MINT coordinators agree that when a woman participates for at least six months after birth, she is more likely to achieve the program’s goals of infant-mother bonding and parenting skills.<sup>38</sup>

However, in practice, participation length varies. According to program staff, women typically stay for six months postpartum at the Fort Worth MINT, while women at the Hillsboro MINT site average three months postpartum.<sup>39</sup> Early or extended placements can be considered with a recommendation from the treating obstetrician and clinical director.<sup>40</sup>

In 2021, the Hillsboro MINT site operated with 10 staff members and could accommodate 20 women. Program staff estimated that, at any given time, there were around 10 participants, with a total of 20 annually. At the Fort Worth MINT site, staff reported having two

<sup>35</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody: U.S Marshals Service and Bureau of Prisons Should Better Align Policies with National Guidelines* GAO-21-147 (February 24, 2021), 81, <https://www.gao.gov/assets/gao-21-147.pdf>.

<sup>36</sup> Marc Blatstein et al., “Availability of Treatment and Rehabilitation in Federal Prison: The Critical Role of the Presentence Report,” *The Federal Lawyer*, January 2021, [https://live-pprsus.pantheonsite.io/wp-content/uploads/2021/01/Dr.-Blatstein\\_The-Federal-Lawyer-The-Critical-Role-Of-The-PSR\\_Jan-Feb2021.pdf](https://live-pprsus.pantheonsite.io/wp-content/uploads/2021/01/Dr.-Blatstein_The-Federal-Lawyer-The-Critical-Role-Of-The-PSR_Jan-Feb2021.pdf).

<sup>37</sup> Federal Bureau of Prisons, *Female Offender Manual*, 18.

<sup>38</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 28.

<sup>39</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 79-80.

<sup>40</sup> Federal Bureau of Prisons, *Female Offender Manual*, 19.

to three participants at a time and 10 annually.<sup>41</sup> The facility has a maximum capacity of 15 women and their infants.<sup>42</sup>

Enrollment remains low across all five MINT sites relative to the total number of pregnant women in federal custody. The First Step Act reported 171 pregnancies in BOP custody in 2018 and 180 in 2019, however, the Act does not require the BOP to track or publish consistent data on federal nursery program participation.<sup>43</sup> While these figures do not align perfectly with available enrollment data, they suggest a significant gap: according BOP’s self-reported enrollment data, only 87 women participated in the MINT program between 2017 and 2019.<sup>44</sup>

RCC Location	Number of Participants	Number of Women Denied or Delayed
Phoenix, Arizona	11	0
Tallahassee, Florida	15	0
Springfield, Illinois	3	0
Fort Worth, Texas	19	0
Hillsboro, West Virginia	39	1

Table 1: Participation in MINT Program, 2017 - 2019, by location <sup>45</sup>

During this period, one woman was denied entry into the Hillsboro MINT program due to a public safety factor resulting from a prior sex offense, according to the BOP. <sup>46</sup> The BOP does not publish data on the demographics of women who apply, are accepted, or are denied from the program.<sup>47</sup>

While participating in MINT, incarcerated women receive support services such as “mental health, medical care, vocational training, and child care.”<sup>48</sup> The services available to

<sup>41</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 79-80.

<sup>42</sup> “Mothers and Infants Nurturing Together,” Volunteers of America Texas, accessed April 10, 2024, <https://www.voatx.org/services/mint/>.

<sup>43</sup> E. Ann Carson, *Federal Prisoner Statistics Collected Under the First Step Act, 2023*, 6.

<sup>44</sup> Data comparing the number of pregnant women in BOP custody to those participating in the MINT Program before 2018 is unavailable. The First Step Act, which mandated the BOP to collect and report pregnancy-related data, was not signed into law until 2018.

<sup>45</sup> United States Commission on Civil Rights, *Women in Prison: Seeking Justice Behind Bars* (February 2020), 165, <https://www.usccr.gov/files/pubs/2020/02-26-Women-in-Prison.pdf>.

<sup>46</sup> United States Commission on Civil Rights, *Women in Prison: Seeking Justice Behind Bars*, 165.

<sup>47</sup> Knox, interview.

<sup>48</sup> “Female Offenders,” Federal Bureau of Prisons.

mothers and their children vary across the RCCs, and the extent of programming often depends on the ability of community providers to supplement resources.

For example, the Greenbrier Birthing Center in West Virginia offers psychological and substance abuse counseling, parenting, life skills, financial management, job readiness, and GED classes for women at the Hillsboro MINT.<sup>49</sup> Mental health providers offer onsite support services twice a week, and women are taken outside of the facility for prenatal care.<sup>50</sup>



Figure 2: MINT program facility in Hillsboro, West Virginia <sup>51</sup>

Similarly, Volunteers of America Texas, a comprehensive national human services organization, runs the MINT center in Fort Worth, Texas.<sup>52</sup> Here, women have a weekly check-in with a nurse and are taken outside of the facility for prenatal care.<sup>53</sup> The Tarrant County Hospital District partners with the facility to provide lactation consulting services.<sup>54</sup>

Many women are “released directly from the program without any separation from their child,” according to the BOP.<sup>55</sup> If there is time remaining on a woman’s sentence upon

<sup>49</sup> Blatstein et al., “Availability of Treatment and Rehabilitation in Federal Prison.”

<sup>50</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 79.

<sup>51</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 81.

<sup>52</sup> “MINT Program,” Volunteers of America, Texas, accessed January 3, 2024, <https://www.voatx.org/mint-program/#:~:text=The%20Mothers%20and%20Infants%20Nurturing,Volunteers%20of%20America%20Texas%20facility.>

<sup>53</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 79-80.

<sup>54</sup> “2020 Community Health Needs Assessment,” Tarrant County Hospital District/JPS Health Network, accessed July 2023, 74,

<https://www.jpshealthnet.org/sites/default/files/inline-files/JPS%20CHNA%202020%20-%20FINAL.pdf>.

<sup>55</sup> Alix McLearn, Kristie Breshears, Doug Mowell, and Karl Leukefeld, “A Room of Their Own: Progressive Prison Programs for Women,” *Corrections Today*, January/February 2021, 37, [https://www.aca.org/common/Uploaded%20files/Publications\\_Carla/Docs/Corrections%20Today/2021%20Articles/CT\\_Jan-Feb\\_2021\\_FBOP.pdf](https://www.aca.org/common/Uploaded%20files/Publications_Carla/Docs/Corrections%20Today/2021%20Articles/CT_Jan-Feb_2021_FBOP.pdf).

completion of the program, the infant is transferred to a legal guardian, and the mother is transferred to another BOP institution, a halfway house, or to home confinement.<sup>56</sup> Gretta L. Goodwin, a director in the Government Accountability Office's (GAO) Homeland Security and Justice Team, highlighted the complexity surrounding the placement decisions women are faced with:

For the women who were in the programs, if they were near the end of their sentence, that was probably a little more positive outcome. If they weren't near the end of their sentence, then that became the conversation about what happens to the child... They had to make decisions about what they thought would be in the best interest of the child.<sup>57</sup>

### **III. Residential Parenting Program (RPP)**

The Residential Parenting Program (RPP), operated by the Washington Department of Corrections (WADOC), is offered to pregnant women incarcerated in federal facilities through an intergovernmental agreement between the BOP and WADOC.<sup>58</sup> While the program is open to qualifying women in federal custody, most participants in RPP are being held in state custody.<sup>59</sup>

The program began in 1999 through a partnership with the Puget Sound Educational Service District (PSESD).<sup>60</sup> Washington Corrections Center for Women (WCCW) and PSESD “come together to ensure that not only are mothers taught new skills but also that their social, emotional, and health needs are met.”<sup>61</sup>

The eligibility requirements for RPP are established by WADOC.<sup>62</sup> Unlike the MINT program, which “provides a shorter period of mother-infant bonding time in a halfway house setting, RPP offers 30 months of mother-infant bonding time in the minimum security unit of

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<sup>56</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons' Management of Its Female Inmate Population*, 26.

<sup>57</sup> Gretta L. Goodwin (Director, Homeland Security and Justice Team, United States Government Accountability Office) in an interview with the author, June 2023.

<sup>58</sup> “Female Offenders,” Federal Bureau of Prisons.

<sup>59</sup> Lindsay Owens (Site Manager, Washington Corrections Center for Women, Puget Sound Educational Service District) in an interview with the author, July 2023.

<sup>60</sup> “Residential Parenting Program Fact Sheet,” Washington State Department of Corrections, May 2017, <https://www.doc.wa.gov/docs/publications/fact-sheets/400-FS003.pdf>.

<sup>61</sup> “PSESD Early Head Start at the Washington Corrections Center for Women,” Puget Sound Educational Service District, July 7, 2021, <https://www.psesd.org/news/detail/~board/news/post/psed-early-head-start-at-the-washington-corrections-center-for-women>.

<sup>62</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons' Management of Its Female Inmate Population*, 26.

WCCW.”<sup>63</sup> The eligibility requirements for RPP are stricter than those for the MINT program: whereas both minimum- and low-security incarcerated women can be eligible for MINT, only minimum-security women qualify for RPP.<sup>64</sup>

To be eligible for RPP, women incarcerated in BOP facilities must also:

- Be pregnant upon commitment, with an expected delivery date prior to release.
- Have release dates or home detention eligibility dates within 30 months of the expected delivery date.
- Have no 200 or 100 series incident reports in the last six months.
  - The BOP uses a four-series scale to categorize disciplinary code infractions for prohibited acts, organized between 100 series (Greatest Severity) and 400 series (Low Severity). Some 200 series infractions include fighting, extortion, and tattooing oneself or others.<sup>65</sup>
- Have satisfactory or higher work evaluations (if available).
- Be clear of all serious disciplinary violations of an aggressive or assaultive nature.
- Have no current no-contact orders with minor children, no sex offense convictions, no crimes against a child, no domestic violence or other violent convictions, and no contact-founded allegation or inconclusive referrals for neglect or abuse with Child Protective Services.
- Be physically and mentally capable of caring for a child, as determined by medical and mental health staff.
- Volunteer and acknowledge program participation: involvement in prenatal and postnatal programming related to parenting, use of the child development center and approved inmate caregivers, and maintenance of a schedule.<sup>66</sup>

Located in the J-Unit of WCCW, the RPP has dormitory-style rooms, a kitchen, a changing room, a medical exam room, and a day room for RPP mothers, children, and women in the general population who can serve as unit caregivers.<sup>67</sup>

Similar to MINT, the BOP provides for the RPP infant’s medical expenses in the first three days after a routine vaginal birth or up to seven days after a Cesarean section. Any

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<sup>63</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 27.

<sup>64</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 27.

<sup>65</sup> Prohibited Acts and Available Sanctions, 28 C.F.R. § 541.3, 2023; *see also* “Prohibited Acts and Available Sanctions,” <https://www.govinfo.gov/app/details/CFR-2023-title28-vol2/CFR-2023-title28-vol2-sec541-3>.

<sup>66</sup> Federal Bureau of Prisons, *Female Offender Manual*, 20-1.

<sup>67</sup> Lindsay Owens and Natasha Roberts, “Early Head Start and the Residential Parenting Program at the Washington Corrections Center for Women,” Children of Incarcerated Caregivers 2023 Global Prison Nursery Network Symposium, December 12, 2023, Columbia Law School, video, 5:58:36, [https://www.youtube.com/watch?v=ZMVikWqSSXM&ab\\_channel=ChildrenofIncarceratedCaregivers](https://www.youtube.com/watch?v=ZMVikWqSSXM&ab_channel=ChildrenofIncarceratedCaregivers).

postnatal care and future expenses for the child are covered by Washington's Department of Social and Health Services Temporary Aid to Needy Families (TANF) program.<sup>68</sup> Mothers receive prenatal care inside the prison clinic from a midwife, and a pediatrician from a local clinic visits the J-Unit monthly.<sup>69</sup> RPP mothers may have approved visitors and a volunteer doula present during labor and up to two hours after childbirth.<sup>70</sup>

Through PSESD, RPP mothers participate in Early Head Start (EHS), a federally funded program that serves pregnant women and their children ages birth to three. RPP mothers first participate in a home-based model, including maternal mental health screenings and new mom groups.<sup>71</sup> Around six to eight weeks after the child is born, and the mother returns to work or school programming, infants participate in EHS's center-based model, which offers licensed childcare and regular developmental and health screenings for the children.<sup>72</sup> PSESD staff work with each mom to develop quarterly goals for their child.<sup>73</sup>

Kendra, a mother in RPP, emphasized the importance of the program, "I just want to make sure that he [her son] is taken care of, loved, and nurtured. I wouldn't have been able to have that opportunity if it wasn't for this program."<sup>74</sup>

The program supports opportunities for connection between RPP mothers, their infants, and outside family members. Developmental updates are shared with family members during the time spent in the RPP.<sup>75</sup> Infants may leave the unit for short-term visits with an approved caregiver, and outside family members can stay for a weekend in designated trailers on WCCW's property.<sup>76</sup> Mothers are released to their home residence if their sentence has been completed or, if applicable, placed in home confinement.<sup>77</sup> Those who are released into Pierce County, Washington, can continue working with PSESD.

Re-entry support is central to the RPP model, but resources are spread thin and inconsistent. "When moms leave, they don't have a lot... It would be really nice to have

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<sup>68</sup> Federal Bureau of Prisons, *Female Offender Manual*, 20.

<sup>69</sup> Owens and Roberts, "Early Head Start and the Residential Parenting Program at the Washington Corrections Center for Women."

<sup>70</sup> State of Washington Department of Corrections, "Policy: Residential Parenting Program 590.320," updated August 9, 2023, 4, <https://www.doc.wa.gov/information/policies/showFile.aspx?name=590320>.

<sup>71</sup> Owens and Roberts, "Early Head Start and the Residential Parenting Program at the Washington Corrections Center for Women."

<sup>72</sup> Natasha Roberts, in an email message to author, February 4, 2025.

<sup>73</sup> Puget Sound Educational Service District, "PSESD Early Head Start at the Washington Corrections Center for Women."

<sup>74</sup> "Early Head Start at the Washington Corrections Center for Women - Together from the Beginning," Puget Sound Educational Service District, video, 3:03, July 2, 2020, <https://www.youtube.com/watch?v=xzQHEsot9X4&t=17s>.

<sup>75</sup> Owens, interview.

<sup>76</sup> Owens and Roberts, "Early Head Start and the Residential Parenting Program at the Washington Corrections Center for Women."

<sup>77</sup> Federal Bureau of Prisons, *Female Offender Manual*, 20.

something very consistent that we could access, but resources change,” shared Natasha Roberts, direct services manager at PSESD.<sup>78</sup> Thus, RPP programming relies on strong relationships with community partners, including Kidvantage, Save the Children, WIC, Hope Sparks, and the University of Washington Speech and Hearing Sciences (SPHSC).<sup>79</sup> Donations from the community support program operations.<sup>80</sup>

SPHSC Professors Amy Pace and Katie Krings run the Partnership for Healthy Parenting program at WCCW, focusing on strengthening the “communication foundation” between mother and child through workshops and one-on-one sessions with the mothers. Though most of the children in RPP are pre-verbal, “those early years are critically important for building communication skills,” says Amy Pace.<sup>81</sup>

#### **IV. Oversight and Federal Reviews of MINT and RPP**

In 1997, to address the growing population of incarcerated women, the BOP created its first policy addressing the care of women incarcerated in federal facilities. While the four-page policy briefly described the BOP’s role in programming and services to meet the physical, social, and psychological needs of incarcerated women, it “never explained what those needs were and lacked specific guidance that would help institutions identify, address, and comply with those needs,” according to the Office of the Inspector General (OIG).<sup>82</sup> Subsequent editions aim to address these deficiencies and serve as the BOP agency’s primary policy guidelines for incarcerated women, including pregnancy, child placement, and postpartum requirements.<sup>83</sup>

In 2018, the DOJ Office of the Inspector General (OIG) reviewed BOP’s “management of its female inmate population.”<sup>84</sup> The investigation was initiated by calls from members of Congress and public interest groups, citing deficiencies in BOP’s management of incarcerated sub-populations, such as women.

The OIG report concluded that the BOP had not been strategic in its management of “female inmates” in three areas: trauma treatment programming, pregnancy programming, and

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<sup>78</sup> Natasha Roberts (Direct Services Program Manager, Puget Sound Educational Service District) in an interview with the author, July 2023.

<sup>79</sup> Puget Sound Educational Service District, “PSESD Early Head Start at the Washington Corrections Center for Women,” Roberts, email.

<sup>80</sup> Owens, interview.

<sup>81</sup> Nancy Joseph, “Learning Parenting Skills – While Incarcerated,” *University of Washington College of Arts & Sciences Perspectives*, blog, February 8, 2023, <https://artsci.washington.edu/news/2023-02/learning-parenting-skills-while-incarcerated>.

<sup>82</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 12.

<sup>83</sup> Federal Bureau of Prisons, *Female Offender Manual*.

<sup>84</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*.

feminine hygiene. Concerning parenting programs, the OIG ultimately found that MINT and RPP may have been underutilized.<sup>85</sup>

Despite additional capacity in MINT and RPP, of the 558 incarcerated pregnant women in BOP custody between 2012 and 2016, 204 (37 percent) participated in MINT or RPP.<sup>86</sup> Low levels of participation in pregnancy programs were “likely due to BOP staff members’ failure to fully communicate program opportunities and eligibility criteria to staff and pregnant inmates and to collect relevant data to assess pregnant inmates’ interest and participation in the MINT program and the Residential Parenting Program.”<sup>87</sup> Until BOP addresses these issues, “we believe pregnancy program participation will remain low,” concluded the OIG.<sup>88</sup>

According to an assistant federal public defender, this lack of information and communication surrounding pregnancy programs identified by the OIG investigation is “problematic.”<sup>89</sup> As these women wait for sentencing, they do not have an idea of what to expect or what decisions need to be made in terms of medical care or custody of their infant.<sup>90</sup> Additionally, per the Female Offender Manual, social workers are to meet with every pregnant woman in BOP facilities to inform about and document interest in MINT and RPP.<sup>91</sup> However, social worker positions are often vacant, and a 2017 BOP review uncovered that social workers at one BOP facility were not meeting with incarcerated women to discuss pregnancy programs at all.<sup>92</sup>

Additionally, the OIG report identified that BOP employees at some facilities did not fully understand the eligibility criteria for the MINT and RPP, and at one institution, staff informed women of the programs based on their own, sometimes inaccurate, understanding of the criteria. Further, BOP staff were found to be especially unaware of RPP.<sup>93</sup>

BOP facility staff may have applied the eligibility criteria more restrictively than intended, found the OIG. A warden of a BOP facility informed investigators that “low-security

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<sup>85</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*.

<sup>86</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 26.

<sup>87</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 28.

<sup>88</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 28.

<sup>89</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 82.

<sup>90</sup> United States Government Accountability Office, *Pregnant Women in DOJ Custody*, 82.

<sup>91</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 25.

<sup>92</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 26.

<sup>93</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 27.

inmates had not proven they were ready for halfway-style housing” and thus could not qualify for MINT.<sup>94</sup> However, BOP’s policy on halfway house eligibility calls for case-by-case consideration of each person interested in MINT and the likelihood to “pose a threat.”<sup>95</sup> Ultimately, security level alone should not prohibit an interested woman from MINT participation.<sup>96</sup>

Lastly, the OIG investigation found that both nursery programs were underutilized due to BOP’s failure to collect data that would allow the identification of barriers to participation and monitor awareness of, interest in, and enrollment in the programs. During the time of the OIG review, the BOP did not track data to monitor whether women were being told about MINT and RPP, nor collect data on the specific eligibility criteria that would preclude program participation, such as financial barriers to supporting the baby during participation and the intent to give the baby up for adoption.<sup>97</sup>

In 2020, the House of Representatives Committee on Appropriations addressed the underutilization of the programs and the lack of data collection. Still the Committee was “concerned about the underutilization of these programs and thereby directs BOP to issue guidance to communicate parenting program opportunities and eligibility criteria to each employee and pregnant inmate and to collect relevant data to assess pregnant inmates’ interest and participation.”<sup>98</sup> The Committee directed the BOP to respond within 180 days of the enactment of the Act on strategic plans to address these concerns. It is unclear if it did so.<sup>99</sup>

## **V. Expansion and Alternatives**

Looking to the future, the BOP is poised to expand the nursery programs and address deficiencies identified in the federal reports. To replicate the MINT model, the BOP will develop a resource tool for state, tribal, and local correctional facilities to create similar programs and services, according to the 2022 “White House Blueprint for Addressing the Maternal Health Crisis.”<sup>100</sup>

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<sup>94</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 27.

<sup>95</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 27-28.

<sup>96</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 27-28.

<sup>97</sup> United States Office of the Inspector General, *Review of the Federal Bureau of Prisons’ Management of Its Female Inmate Population*, 28.

<sup>98</sup> Committee on Appropriations, Commerce, Justice, Science, and Related Agencies Appropriations Bill, H.R. Rep. No. 116-101, at 63 (2020), <https://www.congress.gov/116/crpt/hrpt101/CRPT-116hrpt101.pdf>.

<sup>99</sup> This strategic plan could not be obtained or accessed as of June 2024. Efforts to obtain this document from the BOP were unsuccessful.

<sup>100</sup> The White House, *White House Blueprint for Addressing the Maternal Health Crisis* (June 2022), 25, <https://www.whitehouse.gov/wp-content/uploads/2022/06/Maternal-Health-Blueprint.pdf>.

Congressional legislation calls for the expansion of federal nursery programs and increasing data collection on their use. The bipartisan “Women in Criminal Justice Act,” introduced in April 2023 by Representative Sydney Kamlager-Dove (D-CA) and co-sponsored by Representative Nancy Mace (R-SC), addresses areas of pregnancy care misalignment identified in the OIG report, including raising staff awareness about the programs and mandating annual reports on critical program statistics.<sup>101</sup>

The legislation would require annual reports documenting critical statistics, including the number of women who give birth in BOP custody, MINT program acceptances and denials, reasons for denials and incomplete program fulfillment, and the number of pregnant women excluded from the program, compared to the number of available, unused spaces.<sup>102</sup> All past exclusions from the program would be reviewed by a licensed psychologist.<sup>103</sup> The bill would also revise eligibility requirements, though it’s unclear in what ways.<sup>104</sup>

The legislation would require the BOP to gather feedback from pregnant women in residential programs, as well as women in prenatal and postpartum periods, “to understand their personal experiences being pregnant in custody.”<sup>105</sup> Ultimately, there was no movement on the bill since it was referred to the House of Representatives Committee on Health in April 2023, and similar legislation has yet to be reintroduced.<sup>106</sup>

Finally, the BOP plans to pursue an additional intergovernmental agreement with a Department of Corrections prison nursery program in another geographic region, akin to the partnership with WADOC. However, the exclusivity of existing nursery programs calls into question this model of replication; out of the 17 open slots in Washington’s RPP during 2023, only three mothers lived in the unit.<sup>107</sup> According to Dr. Rebecca Shlafer, a leading researcher on the programs and policies that affect families impacted by incarceration, “[The] strict inclusion criteria and limited availability [of prison nursery programs] mean that most of the pregnant and postpartum people who could benefit from services do not have an opportunity to receive them.”<sup>108</sup>

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<sup>101</sup> Women in Criminal Justice Reform Act, H.R. 2954, 118th Cong. (2023), <https://www.congress.gov/118/bills/hr2954/BILLS-118hr2954ih.pdf>.

<sup>102</sup> H.R. 2954 (118th Cong., 2023): 59-61.

<sup>103</sup> H.R. 2954 (118th Cong., 2023): 59-60.

<sup>104</sup> H.R. 2954 (118th Cong., 2023): 59.

<sup>105</sup> United States Department of Justice, *Rehabilitation, Reentry, and Reaffirming Trust*, 20.

<sup>106</sup> “H.R.2954 - Women in Criminal Justice Reform Act,” Legislation, United States Congress, accessed June 2024, <https://www.congress.gov/bill/118th-congress/house-bill/2954/text>.

<sup>107</sup> Joseph O’Sullivan, “New Mothers Can Stay with their Babies at this Washington Prison,” *Crosscade/Cascade Public Media*, November 8, 2023, <https://crosscut.com/politics/2023/11/new-mothers-can-stay-their-babies-washington-prison>.

<sup>108</sup> Rebecca J. Shlafer, Erica Gerrity, Chauntel Norris, Rachel Freeman-Cook, and Carolyn B. Sufrin, “Justice for Incarcerated Moms Act of 2021: Reflections and Recommendations,” *Women’s Health* 18 (April 2022): 8, <https://doi.org/10.1177/17455057221093037>.

In a reflection on the Justice for Incarcerated Moms Act of 2021, which aimed to improve healthcare and promote dignity for incarcerated pregnant and parenting people—but which did not advance beyond the Senate—authors of the commentary, including Dr. Shlafer, urged the BOP to enhance transparency in existing parenting and pregnancy programs.<sup>109</sup> They advocated for the expansion of programming to meet the needs of all pregnant and postpartum people who could benefit from services, and “most importantly, support legislative efforts aimed at decreasing the use of incarceration among pregnant and parenting people more broadly.”<sup>110</sup>

## **VI. Conclusion**

MINT and RPP provide rare opportunities for incarcerated mothers to remain with their infants during a critical stage of early development. However, limited access, strict eligibility requirements, and uneven resource availability hinder the full potential of these programs. Legislative efforts have sought to improve access and accountability, but significant gaps remain. Expanding the scope and quality of these programs is needed, but insufficient. A growing consensus among advocates points toward the importance of investing in non-custodial, community-based alternatives to better support pregnant and postpartum women facing incarceration and their children.

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<sup>109</sup> Shlafer et al., “Justice for Incarcerated Moms Act of 2021,” 5.

<sup>110</sup> Shlafer et al., “Justice for Incarcerated Moms Act of 2021,” 5.