



**Texas Center for
Justice & Equity**
SOLUTIONS FOR SAFE, HEALTHY,
JUST COMMUNITIES

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New Report Explores Intersections of Incarceration and Motherhood

System-Impacted Women Highlight Texas' Need to Rethink Treatment of Mothers and Families

(AUSTIN, TX) – A [report](#) released today by the Texas Center for Justice and Equity (TCJE) highlights the experiences of mothers in Texas prisons and jails. “Motherhood and Pregnancy Behind Bars: Texas Must Rethink How It’s Treating Mothers and Families” urges leaders to protect the lives and dignity of currently incarcerated women while taking real, viable steps to keep people out of the criminal legal system altogether.

“While incarceration is brutal for every person caged in a cell, women—especially women of color and those in the LGBTQIA+ community—face unique challenges,” said **Cynthia Simons, TCJE Grant Me The Wisdom Women’s Fellow and one of the report’s co-authors**. “By evaluating the issues of motherhood and pregnancy behind bars from a Black, feminist, intersectional perspective, we hope to shed new light on the structural inequities that women like us face, and to break the silence that these intersecting systems of violence attempt to impose on Black women.”

In addition to policy research and recommendations, the report features data on female incarceration in Texas and the United States, quotes from formerly incarcerated women, and archetypical stories of the inequities and disparities that drive women of color into the criminal legal system. The report also spotlights positive parent-child programs in Texas—while emphasizing that the most effective way to support Texas families would be decarceration.

“When a mother is locked up, it’s never just one person who suffers,” Simons said. “The violence of incarceration ripples through generations, whether through poor prenatal care for pregnant women behind bars, family separation soon after a baby’s birth, or the negative impact of trauma on kids whose parents are incarcerated. It is vital that we explore and address the lack of community-based resources and supports for at-risk women of color and their children, so we can keep families united, healthy, and safe.”

The report also evaluates the Texas Department of Criminal Justice (TDCJ)’s uneven implementation of “Justice for Women” laws passed during the state’s 2019 Legislative Session. Reports from TDCJ, as well as confidential reports made by incarcerated women to TCJE, reveal that policy differs from practice in areas including lack of access to programming, continued danger for pregnant women and new mothers from high temperatures and insufficient water, and insufficient postpartum care.

“Motherhood and Pregnancy Behind Bars: Texas Must Rethink How It’s Treating Mothers and Families” is authored by Cynthia Simons and Chloe Craig. Key report data and recommendations can be found below; [the full report is available on the TCJE website](#).

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KEY DATA – “Motherhood and Pregnancy Behind Bars”

- **America is currently responsible for 30 percent of the world’s incarcerated female population** (approximately 215,000 women), despite constituting only four percent of the global population of women.
- Despite overall declining trends in crime and the fact that men are still incarcerated at disproportionate rates compared to women, **the female incarceration rate has *grown* at a faster rate than men.**
- **Women behind bars experience worse health outcomes than men**, and many may experience monthly menstruation, pregnancy, birth, and motherhood—all of which compound the experience of incarceration in both the short and long term.
- **More than half of the incarcerated female population is women of color.** Of the Black female incarcerated population, single Black mothers are the most likely to serve a sentence.
 - While Black women comprise roughly 6.5 percent of Texas’ overall population, **they make up 23 percent of the imprisoned female population.**
- Estimates show **between five and 10 percent of women in the U.S. report pregnancies upon entry to prison.**
- In Texas, just **over 8,700 women were incarcerated in the state corrections** system as of February 2022.
- More than 70 percent of women in Texas prisons have been sentenced to 5 years or more; **nearly 45 percent of the incarcerated female population have been sentenced to 10 years or more.**
- In 2020, **more than 120 women gave birth while in Texas prisons.**

RECOMMENDATIONS – “Motherhood and Pregnancy Behind Bars”

- Prevention & Decarceration: Keep Women from Being Incarcerated
 - Reallocate funding from Texas’ corrections system into community-based programs
 - Phase out the use of state jails and Substance Abuse Felony Punishment (SAFP) programs
 - Reduce the net-widening impact of probation
 - Require judges to consider whether a woman is the primary caretaker of a child, and identify opportunities for her to remain with her family rather than be incarcerated
 - End criminal penalties and bookings for most drug offenses
- Support for Currently Incarcerated Women
 - Provide mothers more time with their children in non-carceral settings
 - Require TDCJ to offer ALL mothers access to programming that nurtures the parent-child relationship
 - Require TDCJ to make visitation rooms more family-friendly and trauma-informed
 - Preserve life by promoting humane prison conditions, including the provision of adequate nutritional foods and water, as well as climate controls
 - Create an Office of Independent Oversight at TDCJ to provide much-needed transparency and protections throughout the system

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The Texas Center for Justice and Equity (formerly the Texas Criminal Justice Coalition) advances solutions and builds coalitions to end mass incarceration and foster safer Texas communities.