



**Testimony of Serena Martin, New Hour LI & End Prison Violence Campaign  
Before the New York State Legislature  
Public Protection Hearing – February 12, 2026**

My name is Serena Martin and I am the founder and Executive Director of New Hour LI, a 14 year-old non-profit dedicated to empowering justice-impacted women, children and families through direct service and legislative advocacy and I also submit this testimony on behalf of the End Prison Violence Campaign (EPV) which New Hour supports. EPV is a statewide advocacy campaign committed to ending violence in New York's prisons through regulatory, litigation, policy, and legislative solutions.

We thank lawmakers for beginning to address conditions of confinement in New York's prisons. I am providing testimony today about the pressing need to continue to enact legislation that will address the humanitarian crisis pervading New York State's prisons. Today, I urge the Legislature to take immediate action to pass a set of critical bills that would address egregious and well-documented harms experienced by incarcerated women, pregnant and postpartum people, and survivors of sexual abuse in custody. These bills are mutually reinforcing and represent essential steps toward meeting New York's constitutional, statutory, and moral obligations to people in its care.

***Protecting Pregnant and Postpartum People and Their Children***

New York continues to lack a comprehensive, enforceable framework to ensure basic standards of care for incarcerated pregnant and postpartum people and their infants. The consequences of this failure are profound: preventable medical complications, trauma during pregnancy and childbirth, disruptions to bonding and breastfeeding, and long-term health impacts on both parents and children.

New Hour and EPV urge passage of the following three complementary and mutually supporting bills, which together would establish essential protections, oversight, and data transparency:

### **A4879A/S4583A (Kelles/Salazar) – The CARE Act**

The CARE Act is a foundational measure that affirms the health, safety, and human rights of incarcerated pregnant individuals, incarcerated birthing parents, and their children. It establishes minimum standards of care, recognizes the unique medical and emotional needs of pregnancy and childbirth, and centers dignity and family integrity in correctional policy. This legislation is long overdue and reflects best practices recognized by medical and public health experts nationwide. With a recent report published by the Women in Prison Project in coordination with the Birth Support Working Group at Elmhurst Hospital, [\*Born Inside: Birth Experiences During Incarceration and the Need for Doula Care\*](#), details findings and recommendations to address the harmful conditions that incarcerated pregnant people face, while shining a light on the critical role that doulas can play in supporting pregnant people inside carceral systems in New York State.

### **A1670/S2667 (Rosenthal/Salazar)**

This bill strengthens and closes critical gaps in existing protections of pregnant people in custody by prohibiting the use of force against pregnant people in custody; expanding and strengthening prohibitions on shackling during pregnancy and the postpartum period; extending shackling prohibitions to police custody, where protections are currently absent; and ensuring privacy and appropriate support for pregnant and laboring people receiving medical care.

No person should give birth while restrained, surveilled, or subjected to force. This legislation brings New York closer to aligning its practices with medical ethics, human rights standards, and basic decency.

### **A1607A/S2666 (Rosenthal/Salazar)**

This bill addresses both immediate health needs and systemic accountability by requiring access to breast pumps for eligible incarcerated birth parents; and mandating robust data collection and reporting on pregnancy, pregnancy outcomes, and access to nursery programs.

Without reliable data, harmful practices remain hidden and unaddressed. This bill ensures transparency while supporting maternal and infant health during a critical developmental period.

### ***Justice for Survivors of Sexual Abuse in Custody***

Sexual abuse in prisons is an abuse of state power and a profound violation of human rights. While sexual violence is unacceptable in any setting, its prevalence in New York's prisons—particularly against women—demands urgent legislative response. We strongly support A8635A (Rosenthal), which would create narrowly tailored exceptions to the strict

specificity requirements of the Court of Claims Act in cases involving sexual assault of incarcerated individuals. Survivors are often unable to recall—or safely document—exact dates and times due to trauma, coercion, or lack of access to information. Current law has resulted in the dismissal of meritorious claims on technical grounds, denying survivors their day in court.

This legislation would allow hundreds of survivors to pursue accountability where specificity is impossible, without lowering the burden of proof or compromising due process.

### ***Preserving In-Person Visitation***

Human connection is not a privilege—it is a cornerstone of rehabilitation, family stability, and public safety. Unfortunately, however, efforts to eliminate or reduce in-person visiting have been rampant across the Department of Corrections and Community Supervision (DOCCS). This informal policy must be reversed.

The **Protect In-Person Visiting bill (A4250A/S2841A)** would require **state and local jails and prisons to provide meaningful, regular in-person visiting opportunities for people who are incarcerated** By:

1. **Guaranteeing in-person visits are available.**  
Facilities must offer real, face-to-face visiting with relatives, friends, clergy, volunteers, and others. Visits help people stay connected to their community and support rehabilitation.
2. **Making visiting hours reasonable and useful.**  
Visiting times must be scheduled in a way that people from across the state can reasonably travel and attend — including **evenings and weekends** where needed.
3. **Ensuring visits last long enough.**  
Visits should be long enough for meaningful human contact — including a **minimum of one hour at local jails** — so families can strengthen their relationships.
4. **Limiting crowding cancellations.**  
Facilities must publish their policies on crowding and consider things like travel distance, frequency of past cancellations, and other visitor circumstances before ending visits early due to crowding.
5. **Respect incarcerated people’s wishes.**  
The bill also clarifies that **no one can be forced to accept a visit** they don’t want.
6. **Stop in-person visits from being replaced by video.**  
Video conferencing (e.g., Zoom or similar tech) can be **used as an additional option**, but it **cannot replace** in-person visiting.

While video calls may supplement visitation, they cannot replace the psychological, emotional, and developmental benefits of physical presence—particularly for children, elders, and families navigating incarceration.

New Hour LI and EPV urge passage of this bill to prevent the permanent erosion of in-person visitation under the guise of efficiency or cost-savings.

It is my deep hope that New Yorkers will begin to humanize people behind bars, people capable of change, regardless of the crime they may have committed. The passage of these bills would mark an embrace of these values.

Thank you for the opportunity to submit this testimony and for your attention to these urgent matters.