

Doctor, officials spar over Washington County Jail's breast-feeding rules

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FORT EDWARD -- Washington County officials recently rejected a request from a doctor who petitioned jail officials to allow a Washington County inmate to breast-feed her baby more frequently.

County officials said accommodations were made for the incarcerated mother and more could have been made, as they navigated a gray area among what one advocate for inmates called a patchwork of policies.

Dr. Brian Kilpatrick of the Mettowee Valley Family Health Center in West Pawlet, Vt., wrote a letter to jail officials last month after he discovered the baby was vomiting the formula it was being fed and losing weight, he said.

The jail had previously allowed the mother to breast-feed twice a day, but that had been downgraded to once a day, Kilpatrick said.

Kilpatrick said he thought, for the health of the baby, that the jail should be allowing the mother to breast-feed five or six times each day.

An uncle of the baby, Matthew Baker of Granville, identified the mother as Jennifer Delaney.

Citing medical privacy, Washington County officials would not confirm that Delaney is the mother in question.

Delaney entered county jail on March 4 because of a parole violation, according to Washington County Attorney Roger Wickes. She had two active warrants with Glens Falls Police and state parole officials, police said.

Police said the Glens Falls warrant regards an open container of alcohol, a violation. The state Parole Division listed her most recent offense as second-degree assault, a felony, in Washington County.

On Monday, Delaney was relocated to the state's Bedford Hills Correctional Facility in Westchester County for processing. Where she was going to end up and whether she would be able to continue to have contact with her baby was not known on Tuesday.

In Washington County, Delaney was provided with a separate, single cell and a breast pump and a refrigerator, Wickes said.

The frequency of the baby's visits was changed from two per day to one per day after the pump was provided, he said.

County officials had security concerns about allowing multiple visits a day by the father and baby, according to Eugene McKenna, the jail's administrator.

"There's security issues in this place. There's a certain lock-down. We can't just have people running here all hours," McKenna said.

The breast-feeding situation was a unique one for the county and officials were continuing to learn about the issue, McKenna added.

County employees and Kilpatrick said they didn't know if the mother asked for the baby -- now almost 3 months old -- to live with her in the jail.

Under New York law, any correctional institution may allow female inmates to have infants up to 1 year of age live with them, unless a medical officer determines the mother is unfit.

Typically, mothers must be pregnant while serving a sentence to enroll in the state nursery program or they must have their baby living with them in a county jail nursery program, said Linda Foglia, a state Department of Correctional Services spokeswoman.

The father was taking care of the baby while the mother was in Washington County Jail, Kilpatrick said.

Wickes said if a live-in request had been made, the county would have accommodated it.

The statute doesn't, however, require jails and prisons to allow live-in arrangements, according to Tamar Kraft-Stolar, director of the Women in Prison Project for the Correctional Association of New York, a nonprofit organization that helps with programs for inmates.

Kraft-Stolar distinguished between county jails, which can have policies that vary by county, and state prisons, which have more restrictions.

In state prisons, mothers must apply for a nursery program, only two of which exist in the state, she said.

Kraft-Stolar said her organization advocates for unlimited breast-feeding visits for mothers in jail.

"As long as the baby grows, it's not going to really matter in the long run," Kilpatrick said. "(But) babies who are breast-fed exclusively rather than bottle-fed do better in the long run."

Since the jail made accommodations with the room and breast pump, the baby did gain weight, Kilpatrick said.

The baby's vomiting also subsided, he said.

"It's still not optimal nutrition, as far as we'd be concerned as pediatricians, because breast-feeding is certainly the best option and should be promoted," he said.

A breast pump doesn't allow mothers to produce milk as efficiently as breast-feeding, Kilpatrick said.

Mothers should breast-feed infants for at least six months, if not a year, Kilpatrick said.

About 25 percent of newborns have some problem with formulas, according to Kilpatrick, and he pointed to research that suggests breast-feeding helps babies reach their maximum growth and IQ.

The child's father would not comment for this story. The mother, when she was reached in jail last week, also declined to comment.

A state Parole Division spokeswoman, Carole Weaver, said Delaney will finish her prison time April 20.