

My Story

My name is Tania Ruiz.

I am a mother, and I have three kiddos. I have a 13-year-old, a 2-year-old, and a baby named Johann. Johann is the baby I had while in prison. My story starts in August 2021. I am a recovering alcoholic, and I was in drug court because I could not complete my probation. I had been sober for almost a year when I got kicked out of drug court. I did not relapse on alcohol. I used THC capsules for my back pain, and I was honest and told them about it because I felt guilty, but they ended up kicking me out of drug court. While I was in drug court, I felt personally attacked by the drug court team. In a way, I am glad now that I got kicked out because if I didn't relapse on alcohol then, I probably would have eventually because of the stress of the program. They were supposed to be helping, but it felt like they wanted to send me to jail. There were other people in drug court who relapsed or missed UAs and they were not sent to jail. But every little thing I did they wanted to send me to jail. Drug court seemed like something that was hurting me instead of helping me at the time because I was dealing with the stress of being pregnant, the stress of being in recovery, and all the stress that comes with life in general. So they kicked me out of drug court. When they kick you out of drug court, they have to resentence you. It's up to the judge to decide what happens to you.

My Resentencing

I had resentencing on August 26, 2021, I believe. I was really not expecting the judge to send me to prison. I was 38 weeks pregnant, plus I was honest about the THC and got right back to my recovery. I was going to all my groups, and I was attending my own EMDR therapy. My public defender seemed pretty confident that they would not send me to prison for a first offense. I have no other criminal record other than my original sentence which was in 2017 when I found a credit card on the street. I was coming down very hard from alcohol withdrawals, and I was desperate. I decided to try the credit card. It went through, and I spent exactly \$99 dollars on alcohol. I caught an identity theft charge which my attorney was fighting because it should have been a petty theft. It should have been a misdemeanor. At the time of the credit card incident, I did not qualify for a public defender, and I could not afford an attorney. The DA kind of screwed me over and charged me with the most which was identity theft.

August 26th, 2021 comes around, and I am thinking I would have to do 90 days in county jail and 90 days probation because I heard that is a common sentence for people who are kicked out of drug court even when they have multiple felonies. Because I only had one felony, I thought I would be okay. My husband dropped me off at court. He couldn't go in because he had my son with him, so he decided to wait in the parking lot. And I never came back out.

My Time in Prison

The judge sentenced me to prison. As soon as they sentence you to prison, they send you to the county jail. As we were getting ready to leave, I didn't have a cellphone, so I couldn't call my husband. They wouldn't let me call him, so I gave my attorney my husband's cell phone number, and he said he would tell my husband what was going on. I was so shocked, and I didn't know what to think. My attorney kept asking the judge, he asked her like three times, we're begging you to reconsider. My attorney kept explaining, she has kids at home, they have always been with their mother, the husband works full time, and she needs to be home. The judge said she would not change her mind. I started to cry, and they sent me to the county jail. As soon as I got to county, me and my attorney were doing everything to see if they could keep me in county a little longer so we could get a reconsideration, or so if I did go into labor, I could at least get a furlough and have my baby at the hospital with my husband there with me. But they immediately shipped me out over to DOC. I think I got into county on a Thursday, and by Monday, I was already at DOC.

Of course I was stressing out. Another thing about me, I was born in Mexico, but I've been in the United States my whole life. My parents brought me over here when I was a child. I didn't know any better. I didn't know I was going to be here illegally or anything like that. The thing with the DOC is that if you are not a citizen, they make you finish your sentence and as soon as you're done with the sentence they can boot you out of the country. The possibility of being kicked out of the country was really scaring me and my family. I have all my kids here, and I don't know anyone in Mexico. This is my home. I've been here my whole life.

My Baby

I got to DOC on a Monday, and I went into labor on a Tuesday. I truly believe it is because of all the stress that I went into labor so fast. When you get to DOC, they don't give you phone calls like they do in county. You have to wait for your phone list to be approved which takes about a month at least. I was in labor, and I kept going to the nurses saying I'm having contractions and they kept telling me I was just dehydrated. I know my body. I know I am in labor. I needed to get to the hospital. I refused to have my baby in the prison. I had heard stories about a couple girls who ended up having their babies at the prison because they wouldn't send them to the hospital. I was very assertive, and I told them, I know my body. I need to go to the hospital. If you do not get me to a hospital, I will find any way possible to sue.

I was already thinking that I wanted to sue the court for separating me from my baby. It is detrimental to my newborn and my two-year-old who was used to having me home all the time, and all of the sudden mom is gone. I didn't know at the time, but later on I heard from my husband that my poor two-year-old would run up-and-down the hall to our bedroom looking for me all day long. Not only was I hurt and scared, but I was angry. I was so angry at the judge and the court system in general for sending me to prison. I felt like I had been singled out and personally attacked. I finally got to the hospital, and they wouldn't let me call my husband from the hospital. In a hurry, I was able to sign a power of attorney, so my husband would be able to

pick up the baby. They kept threatening me with DHS involvement. I didn't understand why DHS would get involved when my blood work and the baby's blood work came back clean. It all seemed like bullshit, honestly. I had to go through labor without my husband or any family. They wouldn't let me call him to arrange picking up the baby. They just said that someone at the hospital would call him.

I had my baby, and I was able to hold him for two hours, and then they took him away. They sent me downstairs into the basement where they keep all the inmates in the hospital. Once I was in the basement, I didn't know what's going on with my baby, and I didn't get any phone calls. They kept me there for about 24 hours, so you don't even get the 2 or 3 days they usually give to check on you. After 24 hours, I went right back to DOC. Obviously at this time I am feeling depressed and I am crying. The first two weeks going into DOC you are in quarantine because of covid. During quarantine you only get out of your cell two hours a day, one hour in the morning and one in the afternoon. The rest of the time, I am cooped up in my cell by myself. I had no one to talk to because I had to wait for my case manager to reach out to me. I couldn't talk to the psychiatry people or anything like that until after I was out of quarantine. It was just horrible circumstances for me and that mind state of being depressed, stressed, and not knowing if my baby was picked up by my husband or if DHS was trying to pull something slick and keep my baby.

My Recovery

I had to pull myself out of my own depression as fast as I could. I remember that first day back at DOC after having my baby. I was just crying and I told myself this can't be good. I am going to end doing something stupid, and so I decided to make a gratitude list everyday. The first day was pretty short. I wrote, "I am grateful that I had my baby and that he is healthy and that he is alive and that I'm alive." Despite where I'm at, he is alive. I hadn't been able to talk to my husband and my other two kids, but I knew in my heart that all I could do was have faith that they were doing okay. That was day one. Day two I was grateful because I was able to get a hold of a stamp and an envelope, so that I could send a letter. I was grateful I could write to my husband and get a lot of my worries and stress off of my chest even though I knew he wouldn't get the letter until the next week. I knew it would be a while until I heard back from him if they allowed him to get my letter because they kept bringing up a restraining order that had been modified long ago. It had been modified for at least a year, so we were allowed to be in contact and live together, but for some reason the restraining order still showed up and did not show the modifications. I spoke to one of the case managers to try and get in touch with my husband, and she was being really rude which just shocked me because I had just had my baby. I tried to get her to at least pass on a message to my husband or at least call him and ask him if he had picked up the baby. I wanted to hear something, anything. But because the restraining order kept popping up she needed paperwork. How was I supposed to get paperwork when I am in prison? I knew they could look up the modified restraining order and see for themselves. She told me that was not her job, and she wanted the paperwork. I asked how I was supposed to get the paperwork when I couldn't talk to my husband to mail the paperwork to me. The staff were being very difficult, so I just gave up on that. I just hoped my letter would get to him.

I took it day by day. The first few days my gratitude list was pretty short. Just one or two things I could be grateful for. I remember writing down, "I am grateful for Jesus" because I do believe in Jesus, and at that point it felt like the only thing I had. It was the only person I could talk to. I tried my best to remember everything I had learned in treatment and recovery with grounding techniques, meditation, and breathing exercises. I did anything and everything, so that I wouldn't let myself fall back into depression even more. I knew I had postpartum depression on top of already having depression with my PTSD and anxiety. I did not want to do something dumb like try to commit suicide or something like that. It was hard not to worry about my family and think about how I could be kicked out of the country. If I was kicked out of the country, it would be years before I could see my kids again, and that's if everything went through legally and I could get a work visa to get back in the country. I knew that would take years and it would take a lot of money.

I finally left quarantine, and I was moved to the general population at the prison. I still didn't know what was going on back home because my phone list had not gone through. I think it got approved about 30 days after having my baby. You are only allowed three people on your call list, so everyday I would try to call my husband, my daughter, and my mom. Finally after 30 days my husband's call went through, and he told me that he picked up the baby. It turns out my baby's breathing was a little irregular, so my husband had to drive back-and-forth to Denver until he could pick up the baby. I think they kept my baby for about a week at the hospital. Either way it was a relief to hear he was at home.

My Family and My Support System

I really felt for my husband. My husband was a new dad, and he was at home with a 13-year-old, a 2-year-old, and now a newborn. He'd never done this on his own and we didn't have anyone to watch our babies, so he could not go to work. This whole time he has to stay home from work. We fell behind on rent, the bills, and we were about to get evicted. It felt like everything was falling apart. Thankfully, my two-year-old has physical therapy through Early Intervention. Thank God for the Early Intervention ladies because they were able to help with resources for rental assistance and help with the bills. They brought diapers for both the babies, any kind of food that the kids needed, and helped with gas money. They did everything they could to help my family. They were wonderful. I am very grateful for Jenny and Angie.

My Sentencing Reconsideration

Thank God, I finally got a letter from my attorney saying that the motion for the sentencing reconsideration was accepted and that the judge wanted to see me in person. We didn't know what the judge was going to do, but the fact that she wanted to see me was a good sign. My attorney had made it clear that the judge had not just sentenced me as a mother but had sentenced my family and my kids. My daughter had started to display self-harm tendencies. She has never had to be away from me, and she probably thought the worst which was that I was going to be deported and she would not see me for a long time or ever again. I have always

been the person she can talk to, and during that time she felt like she had no one to talk to about what she was feeling. She is still dealing with lots of mental health problems, and I am getting her the support she needs.

My sentencing reconsideration was on October 7th. I was transferred back to the Larimer County Jail. My husband was there at the courthouse with the kids, and the judge right away told my husband he could not be there with the kids. Thankfully, someone was able to watch the kids right outside, and he was able to step back in. At the courthouse, my attorney asked if I wanted to say anything to the judge. I said what I had to say. I told the judge, I know you may not care about me, who I am as a person, and what I am trying to do to better myself, but at least have some compassion for those kids. In the end, the judge pretty much said she did not care that I was pregnant when she first sentenced me, or that I had two other kids at home. She pretty much said it was all irrelevant to her. It was all very emotional and frustrating. Personally, I try to be very unbiased, and see both sides of a situation, and I think that is how judges should be. But for some reason, some judges only make decisions on the facts. They don't ask about extenuating circumstances. They don't ask about you as a person. In my opinion, that is what's wrong with the justice system. Sometimes the cold hard facts are not enough to make a decision that has the possibility to impact the rest of someone's life. In the end, the judge ended up doing what I thought should have been done to begin with. She gave me 90 days in county jail and 90 days probation. And that was that. Really, how hard was it to do that from the beginning? We could have avoided all of this mess.

My Message for You

I am currently in treatment, and I am working on the resentments I have. Being in prison, being separated from my baby and family, I am angry. I am still angry that they made me go through that, but I wanted to share my story so that I could find a way to turn my experience into something empowering. I want people to know that they are doing this to women all the time. I haven't given up. I never will. It was a traumatizing experience, but they did not win. I am at Wings now getting better and stronger so that I never have to leave my kids again, and they never have to be without their mom. I am a good mom. I have both of my kids with me in treatment, and I am still on top of my treatment. I will be graduating from my treatment soon, and I have all of my outpatient treatment set up (EMDR, relapse prevention groups, AA meetings, I'll have a sponsor, more exercise). I am doing the best that I can.

The way I look at it. I will not be a victim. I am someone who went through some bullshit and got through it. I am a warrior. Pregnant women with any kind of mental health or addiction should always have the opportunity to do an inpatient treatment like Wings before sending them off to prison. Drug court did not offer me the Wings program. Where was Wings when I needed it? I know insurance and payment plays a role in getting into treatment, so maybe the money that is being spent to sentence someone to prison could be used to send that person to treatment instead. If that person is pregnant, that treatment should be done with their newborn and other young kids. Those first 6 months of a baby's life are so important. The baby still thinks they are

a part of their mother. They don't have a sense of self, so separating them from the mother is terrible for the baby and the mother.