



June 12, 2007

Malika Saada Saar
Executive Director
The Rebecca Project for Human Rights
2309 18th Street, NW, 2nd Floor
Washington, DC 20009

Dear Ms. Saada Saar:

The American College of Obstetricians and Gynecologists (ACOG) is writing this letter in support of federal legislation to prohibit the practice of shackling incarcerated pregnant women in labor. This practice has already been outlawed in Illinois and in California. ACOG's District IX testified in support of the legislation in California: "Physical restraints have interfered with the ability of physicians to safely practice medicine by reducing their ability to assess and evaluate the physical condition of the mother and the fetus, and have similarly made the labor and delivery process more difficult than it needs to be; thus, overall putting the health and lives of the women and unborn children at risk. Typically these inmates have armed guards on-site, which should be more than adequate to protect personnel helping a pregnant, laboring woman or to prevent her from fleeing."

The practice of shackling an incarcerated woman in labor may not only compromise her health care but is demeaning and unnecessary. Most women in correctional facilities are incarcerated for non-violent crimes and are accompanied by guards when they are cared for in medical facilities. Testimonials from incarcerated women who went through labor with shackles confirm the emotional distress and the physical pain caused by the restraints. Women describe the inability to move to allay the pains of labor, the bruising caused by chain belts across the abdomen, and the deeply felt loss of dignity.

The safety of hospital personnel is paramount and for this reason, adequate correctional staff must be available to monitor incarcerated women in labor, both during transport to and from the correctional facility and during the hospital stay. However, the safety of personnel has not been compromised in the years since laws preventing shackling have been instituted in California and Illinois. This safety track record demonstrates the feasibility of preserving the dignity and providing compassionate care of incarcerated laboring women.

ACOG is committed to high quality obstetric care for all women. Incarcerated women in labor constitute a particularly vulnerable population. Preventing the practice of shackling these women is an important step toward assuring humanitarian care and social justice. If you need further assistance as the specifics of this legislation are developed, please do not hesitate to contact staff in our Department of Government Relations. Specifically, you can contact either Lucia DiVenere by phone at 202-863-2510 or via email at ldivenere@acog.org or Tara Straw by phone at 202-863-2512 or via email at tstraw@acog.org.

Sincerely,

Ralph W. Hale MD

Ralph Hale, MD
Executive Vice President

cc: Janet Chapin, RN, MPH, Lucia DiVenere, Lisa Goldstein, MS, Tara Straw, Tara Linh Leaman, JD