

# STATE LAWS

AS OF 2017

## Incarcerated Women: Limiting Use of Restraints

### 2017 Shackling Laws

- **4 states** considered bills to restrict the use of restraints on incarcerated pregnant women
- During the past decade, **23 states have passed laws** restricting restraints on incarcerated pregnant women. (For more information, see our State Laws Summary.)

### Optimal laws to limit the use of restraints:

- ✓ Broadly restrict restraints during labor, delivery, postpartum and transport to a medical facility
- ✓ Allow medical personnel to have restraints removed immediately
- ✓ Require written documentation by corrections personnel of the use of restraints
- ✓ Apply to juveniles
- ✓ Require corrections personnel to remain outside delivery room for privacy concerns
- ✓ Address additional health concerns of pregnant inmates (including adequate prenatal care, appropriate maternal nutrition and nutrition counseling, HIV and substance screening and treatment)

### 2017 Enacted State LEGISLATION

#### Incarcerated Pregnant Women: Limiting Use of Restraints

State	Restricts Use of Restraints During			Physician Authority to Remove Restraints	Addresses Privacy Concerns	Corrections staff must document	Applies to Juveniles	Addresses Broader Health Concerns
	Labor and Delivery	Transport	Postpartum "Recovery"					
Arizona	X	X	X			X	X	
California	X	X	X	X			X	X
Colorado	X					X	X	

<b>Delaware</b>	X	X	X	X		X		
<b>District of Columbia</b>	X	X	X	X		X	X	
<b>Florida</b>	X		X	X		X	X	
<b>Hawaii*</b>	X	X	X	X	X	X		
<b>Idaho</b>	X			X		X		
<b>Illinois</b>	X	X	X	X	X	X		
<b>Louisiana</b>	X	X	X	X		X	X	
<b>Maine</b>	X	X	X	X	X	X	X	
<b>Maryland</b>	X	X	X	X		X	X	
<b>Massachusetts</b>	X	X	X	X	X	X		X
<b>Minnesota</b>	X	X	X	X		X		X
<b>Nevada</b>	X		X				X	
<b>New Mexico</b>	X		X					
<b>New York</b>	X	X	X			X		
<b>Pennsylvania</b>	X	X	X			X		
<b>Rhode Island</b>	X	X	X	X		X	X	
<b>Texas</b>	X		X				X	
<b>Vermont</b>	X		X			X		
<b>Washington</b>	X	X	X	X	X	X	X	
<b>West Virginia</b>	X	X	X	X				