



WREN

Women's
Rights &
Empowerment
Network

WHAT YOU CAN DO

- Visit scwren.org and join the movement.
- Share this information with friends and community members.
- Keep up-to-date with this and similar legislation by following WREN on Facebook, Twitter, and Instagram.
- Invest in WREN at scwren.org/donate.

THE POLICY

Anti-Shackling of a Pregnant Person (H.3967)

OVERVIEW

This bill would ban the use of restraints for an incarcerated person who is pregnant, in labor, during the initial bonding with a newborn, or in postpartum recovery. Restraining a pregnant person is dangerous and inhumane and can pose undue health risks to the person and their pregnancy.

- During labor and postpartum recovery, restraints can interfere with appropriate medical care and can be detrimental to the health of the woman and her newborn child.¹
- Incarcerated pregnant women are more likely to experience miscarriage, preeclampsia, preterm birth, and low birth-weight than pregnant women who are not incarcerated. Restraints that interfere with the ability of a pregnant woman to maneuver increase the likelihood of these and other complications.¹
- Restraining prisoners and detainees increases their chances of accidentally tripping or falling and harming their pregnancies.¹
- The vast majority of female prisoners are non-violent offenders who pose a low security risk—particularly during labor and postpartum recovery.¹
- In the states that have outlawed shackling of pregnant prisoners, there have been no documented instances of a woman in labor or during delivery escaping, or causing harm to themselves, security guards, or medical staff.²
- Medical professionals oppose shackling. The American College of Obstetricians and Gynecologists¹, the American Medical Association³, and the American College of Nurse-Midwives⁴ have publicly declared shackling pregnant people during labor and delivery as medically unsafe and dangerous.

1. Health care for pregnant and postpartum incarcerated women and adolescent females. Committee Opinion No. 511. American College of Obstetricians and Gynecologists. *Obstet Gynecol* 2011;118:1198–1202.

2. Women's Prison Association. Laws banning shackling during childbirth gaining momentum nationwide. New York (NY): WPA; 2011. Available at: http://www.wpaonline.org/pdf/Shackling%20Brief_final.pdf.

3. American Medical Association. Shackling of pregnant women in labor. Policy No. H-420.957. Chicago (IL): AMA; 2010. Available at: <https://ssl3.ama-assn.org/apps/ecommm/PolicyFinderForm.pl?site=www.ama-assn.org&uri=%2fresources%2fdoc%2fPolicyFinder%2fpolicyfiles%2fHnE%2fH-420.957.HTM>.

4. American College of Nurse-Midwives Statement on Shackling/Restraints (2012) <http://bit.ly/NurseMidwivesStatmentShackling>