

HB 2026 -- PERSONS CONFINED IN JAILS (Wilson)

COMMITTEE OF ORIGIN: Standing Committee on Corrections and Public Institutions

This bill specifies that any individual on probation or parole may be housed in a jail with offenders or persons being held on criminal charges.

The bill specifies the necessary health care standards for pregnant and postpartum offenders in a correctional center or county or city jail. The bill requires each of these facilities to develop procedures by September 1, 2018.

The bill requires that when a corrections officer determines that extraordinary circumstances exist and restraints are used on a pregnant or postpartum offender, the corrections officer is required to fully document in writing within 48 hours of the incident the reasons he or she determined extraordinary circumstances existed, the kind of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances.

The Sentencing and Corrections Oversight Commission and the Advisory Committee must conduct biannual reviews of every report written on the use of restraints on a pregnant or postpartum offender to determine compliance with these provisions. The written reports must be kept on file by the Department of Corrections for 10 years.

The chief administrative officer of each correctional center must ensure employees of the correctional center who come in contact with pregnant or postpartum offenders are provided with training on these provisions and inform female offenders of the policies and practices upon admission to the correctional center, including the policies and practices in the offender handbook, and post the policies and practices in locations in the correctional center where such notices are commonly posted and will be seen by female offenders, including common housing areas and health care facilities.

This bill requires that, when a sheriff or jailer determines that extraordinary circumstances exist and restraints are used on a pregnant or postpartum offender, the sheriff or jailer is required to fully document in writing within 48 hours of the incident the reasons he or she determined extraordinary circumstances existed, the kind of restraints used, and the reasons those restraints were considered the least restrictive available and the most reasonable under the circumstances. The written reports must be kept on file

by the county or city jail for 10 years.

The bill requires the county or city jail to ensure employees of the correctional center who come in contact with pregnant or postpartum offenders are provided with training on these provisions and inform female offenders of the policies and practices upon admission to the correctional center, including the policies and practices in the offender handbook, and post the policies and practices in locations in the correctional center where such notices are commonly posted and will be seen by female offenders, including common housing areas and health care facilities.