

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 20, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "221.520. 1. As used in this section, the following terms shall mean:

5 (1) "Extraordinary circumstance", a substantial flight risk or some other extraordinary
6 medical or security circumstance that dictates restraints be used to ensure the safety and security of
7 a pregnant prisoner in her third trimester or a postpartum prisoner within forty-eight hours
8 postdelivery, the staff of the county or city jail or medical facility, other prisoners, or the public;

9 (2) "Labor", the period of time before a birth during which contractions are present;

10 (3) "Postpartum", the period of recovery immediately following childbirth, which is six
11 weeks for a vaginal birth or eight weeks for a cesarean birth, or longer if so determined by a
12 physician or nurse;

13 (4) "Restraints", any physical restraint or other device used to control the movement of a
14 person's body or limbs.

15 2. A county or city jail shall not use restraints on a pregnant prisoner in her third trimester,
16 whether during transportation to and from visits to health care providers and court proceedings or
17 medical appointments and examinations, or during labor, delivery, or forty-eight hours postdelivery.

18 3. Pregnant prisoners shall be transported in vehicles equipped with seatbelts.

19 4. Any time restraints are used on a pregnant prisoner in her third trimester or on a
20 postpartum prisoner within forty-eight hours postdelivery, the restraints shall be the least restrictive
21 available and the most reasonable under the circumstances. In no case shall leg, ankle, or waist
22 restraints or any mechanical restraints be used on any such prisoner, and, if wrist restraints are used,
23 such restraints shall be placed in the front of such prisoner's body to protect the prisoner and the
24 unborn child in the case of a forward fall.

25 5. If a doctor, nurse, or other health care provider treating the pregnant prisoner in her third
26 trimester or the postpartum prisoner within forty-eight hours postdelivery requests that restraints not
27 be used, the sheriff or jailer accompanying such prisoner shall immediately remove all restraints.

28 6. In the event a sheriff or jailer determines that extraordinary circumstances exist and
29 restraints are necessary, the sheriff or jailer shall fully document in writing within forty-eight hours
30 of the incident the reasons he or she determined such extraordinary circumstances existed, the type
31 of restraints used, and the reasons those restraints were considered the least restrictive available and
32 the most reasonable under the circumstances. Such documents shall be kept on file by the county or
33 city jail for at least five years from the date the restraints were used.

34 7. The county or city jail shall:

35 (1) Ensure that employees of the jail are provided with training, which may include online
36 training, on the provisions of this section; and

Action Taken _____ Date _____

1 (2) Inform female prisoners, in writing and orally, of any policies and practices developed in
2 accordance with this section upon admission to the jail, and post the policies and practices in
3 locations in the jail where such notices are commonly posted and will be seen by female prisoners.";
4 and
5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.