



November 12, 2019

Chair Eklund, Vice Chair Manning, and members of the Senate Judiciary Committee:

My name is Holly Harris, and I'm the Executive Director of the Justice Action Network, the nation's largest bipartisan organization working to reform the criminal justice system at the state and federal levels.

We're proud to see the Ohio Senate taking up the important issue of protecting and enhancing the dignity of pregnant women in our prisons. More women are incarcerated now than at any other point in our country's history, and the vast majority are mothers. Providing them with basic human dignity is the right thing to do, and Senate Bill 18 is a welcome step in that direction.

According to a [study published in *The American Journal of Public Health*](#) earlier this year, 138 pregnant female inmates were admitted to prison between 2016 and 2017, and 2% of the total female inmate population were pregnant while incarcerated as of July 31, 2016.

Currently in Ohio prisons and in some other states across the country, pregnant women may be shackled during pregnancy and, horrifically, even during childbirth. Shackling pregnant women is inhumane, often unnecessary, and could cause trauma and negative health outcomes for both mothers and their babies. Medical organizations such as the American Medical Association (AMA), the American College of Obstetricians and Gynecologists (ACOG), and the American Public Health Association all oppose the shackling of pregnant women during labor, delivery, and postpartum recovery because [they say](#) it is "unnecessary and dangerous to a woman's health and well-being."

Thankfully, this legislation seeks to change that practice in Ohio.

Senate Bill 18 follows a number of states that have made these changes in recent years. The Commonwealth of Kentucky, my home state, was the first to enact a "dignity" bill in 2018. Among other provisions, the legislation required inmates known to be pregnant to be restrained solely with handcuffs in front of her body, and prohibited the use of restraints during labor, transport to a health facility, and during postpartum recovery, unless required to protect herself or others.

Regulating the practice of shackling pregnant women was also a key provision of the federal First Step Act that was signed into law by President Trump last year as well. And other conservative states, like Arkansas and Utah, passed their own versions of "dignity" legislation in 2019 that included bans on the shackling of pregnant inmates as well.

While Senate Bill 18 is a welcome step forward, we would like to see the legislation extend protections to all pregnant women, not just those in their third trimester. The states listed above that have recently passed similar legislation all ban the shackling of pregnant women if they are known to be pregnant or verifiably pregnant, not just for those who are in the final trimester.



For too long, the criminal justice system has ignored the unique needs incarcerated women have—especially incarcerated pregnant women—as the female prison population continues to grow. Senate Bill 18 begins to address the unjust conditions incarcerated pregnant women bear by requiring they be treated with basic dignity.

We look forward to working with you all to end the practice of shackling incarcerated pregnant women in Ohio. I thank you for your consideration and welcome any requests for further information.

Holly Harris
Executive Director, Justice Action Network