



State Senator Nickie J. Antonio
District 23

Senate Judiciary Committee
May 11, 2021
Interested Party Testimony HB 8

Chair Manning, Vice Chair McColley, Ranking Member Thomas and members of the Senate Judiciary committee, thank you for the opportunity to testify on HB 8, and specifically changes made to the prohibition of restraints on pregnant prisoners.

As you know, last year, my office worked diligently to pass SB 18, bipartisan legislation prohibiting the shackling and solitary confinement of pregnant inmates, as an amendment to HB 1. This legislation was vital to ending a barbaric practice which forced women to endure labor in handcuffs and unnecessarily put the health of women and their babies at risk.

Overwhelming evidence shows that physical restraints are dangerous to both mothers and their developing fetus after the second trimester as well as during labor and delivery. The practice of shackling pregnant women is especially dangerous as these restraints can affect balance making pregnant women unsteady on their feet with great risk of falling, which could harm the mother and fetus.¹ During labor and delivery, the practice of shackling can often delay or prevent practitioners from providing medically necessary care.²

Since the passage of this legislation, which went into effect on April 12th of this year, I have worked closely with interested parties to assuage concerns and ensure that law enforcement is able to perform their duties without compromising the health of mothers and their babies. The amendment before you today removes provisions regarding qualified immunity and references to confinement. This is a result of collaboration and cooperation with the Ohio Prosecuting Attorneys Association,

¹ https://www.washingtonpost.com/local/public-safety/bipartisan-bill-would-outlaw-shackling-of-pregnant-inmates-in-federal-prisons/2018/09/12/26fd0988-b5cd-11e8-a7b5-adaaa5b2a57f_story.html?utm_term=.af70120a71e9

² <https://www.nytimes.com/2018/12/06/nyregion/pregnant-inmate-shackled-lawsuit.html>

Buckeye State Sheriff's Association, and the Fraternal Order of Police, who have all confirmed their support for this amendment.

I believe that this amendment clarifies the true intention of the legislation and I encourage your support in including the revision to HB 8.

Thank you for your consideration. I would be happy to take questions at this time.