



Office of the Ohio Public Defender

Timothy Young, State Public Defender

Testimony in Support of SB18 Restraining Pregnant Offenders Sponsor Senators Antonio and Lehner

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee. My name is Niki Clum, and I'm the Legislative Liaison for the Office of the Ohio Public Defender. Thank you for the opportunity to provide proponent testimony regarding Senate Bill 18 (SB18).

SB18 is a commonsense bill that prohibits the restraint or solitary confinement of pregnant adults and juveniles who are incarcerated during their third trimester of pregnancy, hospital transport, labor, delivery, or postpartum recovery. Exceptions to this prohibition include circumstances where the individual presents a serious threat of physical harm to herself, the official, or any person.ⁱ In June, there were 23 pregnant women in an ODRC facility.ⁱⁱ Shackling these individuals, or those in jails across our State, during their third trimester and labor defies commonsense. Statistically, female inmates are unlikely to be violent offenders.ⁱⁱⁱ Additionally, pregnant women, especially those in labor, do not present a flight risk for the institution.^{iv} Under most circumstances, it is completely unnecessary to restrain these individuals.

Pregnant women and women in labor are often instructed by physicians to walk for their health, the health of their child^v, and to assist with labor.^{vi} However, shackling increases the risk of falling and causing injury to the mother and child.^{vii} Restraining women after labor and delivery limits a mother's ability to bond with their child,^{viii} including having skin-to-skin contact with the child, which has been shown to increase the mother's milk supply and improve the child's "respiration, heart rate, temperature, blood sugar levels, and immunity."^{ix}

SB18 is a simple bill that ensures the health and safety of expecting mothers and their unborn babies. The Office of the Ohio Public Defender asks that this committee favorable report SB18.

ⁱ Rachel D. Cohen and Ailsa Chang, Federal Legislation Seeks Ban on Shackling of Pregnant Inmates, NPR, December 5, 2018, <https://www.npr.org/sections/health-shots/2018/12/05/673757680/federal-legislation-seeks-ban-on-shackling-of-pregnant-inmates>.

ⁱⁱ Ohio Department of Rehabilitation and Corrections, Monthly Statistics, June 2019, <https://drc.ohio.gov/Portals/0/june%20fact%20sheetrevised.pdf>

ⁱⁱⁱ Tori DeAngelis, *The Restraint of Pregnant Inmates*, American Psychological Association, Vol. 47, No. 6, June 2016, <https://www.apa.org/monitor/2016/06/restraint-inmates>.

^{iv} *Id.*

^v Pregnancy and Exercise: Baby Let's Move!, The Mayo Clinic, <https://www.mayoclinic.org/healthy-lifestyle/pregnancy-week-by-week/in-depth/pregnancy-and-exercise/art-20046896>.

^{vi} Teresa Pitman, The Secret to an Easier Labour, Today's Parent, August 4, 2019, <https://www.todayparent.com/pregnancy/giving-birth/the-secret-to-an-easier-labour/>.

^{vii} Tori DeAngelis, *The Restraint of Pregnant Inmates*, American Psychological Association, Vol. 47, No. 6, June 2016, <https://www.apa.org/monitor/2016/06/restraint-inmates>.

^{viii} *Id.*

^{ix} The Magic of Skin-to-Skin on Breastfeeding, Motherlove, June 22, 2017, <https://www.motherlove.com/blogs/all/the-magic-of-skin-to-skin-on-breastfeeding>.

