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TO: The Honorable Brian E. Frosh, Chairman
Members, Senate Judicial Proceedings Committee
The Honorable Mary Washington

FROM: Joseph A. Schwartz, III
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J. Steven Wise

DATE: April 2, 2013

RE: **SUPPORT** – House Bill 829 – *Correctional Services – Pregnant Detainees and Inmates – Restraint Restrictions*

The Maryland State Medical Society (MedChi), which represents over 7,500 Maryland physicians and their patients, supports House Bill 829.

The use of shackles to restrain a pregnant woman during the pregnancy and delivery is an unjustified and inhumane practice and inflicts needless pain and humiliation. At the 2010 American Medical Association Annual Meeting, the House of Delegates adopted policy condemning the practice of shackling pregnant prisoners.

Along with the AMA, the Federal Bureau of Prisons, the U.S. Marshalls Service, the American Correctional Association, the American College of Obstetricians and Gynecologists (ACOG), the American Civil Liberties Union (ACLU) and the American Public Health Association all oppose shackling women during labor, delivery, and post partum recovery because it is unnecessary and dangerous to a woman's health and well being.

Restraining a pregnant woman increases their potential for physical harm from an accidental trip or fall. The impact of such harm to a pregnant woman can negatively impact her pregnancy. Freedom from restraints is especially critical during labor, delivery and recovery, including moving their legs as part of the birthing process. Restraints on a pregnant woman can interfere with the medical staff's ability to appropriately assist in childbirth or to conduct sudden emergency procedures. Further, shackling interferes with a mother's ability to care for her baby immediately after delivery and can limit her ability to breast feed.

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Attached is the American Medical Association's statement regarding the shackling of pregnant prisoners and the prohibition of such policies. House Bill 829 appropriately prohibits shackling, with very limited exceptions. Maryland should be required to protect the health and well-being of its pregnant women inmates and their newborns. House Bill 829 will go a long way in achieving that objective. MedChi urges a favorable report.

For more information call:

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