6-05/080.00 Female Inmates

BIRTH CONTROL MEASURES/PREGNANCY DETERMINATION

Pursuant to section 4023.5 of the Penal Code, all female inmates held over twenty-four (24) hours shall, upon request, be allowed to continue birth control measures prescribed by her physician. The inmate shall be transported to CRDF for an evaluation by a staff physician.

Pursuant to sections 4023.6 and 4023.8 of the Penal Code, all female inmates held over twenty-four (24) hours shall

- have the right to summon and receive the service of any physician of her choice to determine whether or not she is pregnant. The inmate shall be transported to CRDF for this service. Cost of the physician's visit and security transportation will be at the inmate's expense.
- and within seventy-two (72) hours of arrival at the intake facility, be offered a pregnancy test or provided with the opportunity to request a pregnancy test.

Pursuant to Section 4023.8(g) of the Penal Code, custody personnel shall ensure a lower bunk assignment is available to all inmates who are known to be pregnant.

A sign indicating these rights shall be posted in a conspicuous place accessible to female inmates.

MEDICAL SCREENING OF INMATES SUSPECTED TO BE PREGNANT

If an inmate claims to be pregnant and complains of problems or illness related to the pregnancy, the inmate shall be transported to a hospital emergency room or LAC+USC Medical Center for evaluation by the medical staff.

Paramedics shall be called immediately if any of the following symptoms are present, as they are possible signs of labor:

- Contractions - abdominal (stomach) cramps
- Bloody show (bright red blood) or active bleeding
- Spontaneous Rupture of Membranes (SROM) also known as "water broke"-leakage of clear fluid

In order to avoid any unforeseen complications resulting from pregnancy, it is advisable to transfer any pregnant inmate to CRDF.

Upon arrival at a custody housing facility, female inmates shall be screened by medical personnel and provided a pregnancy test. Pregnancy tests shall be voluntary and may only be administered by medical or nursing personnel. An inmate who declines a pregnancy test shall be asked to sign a medical refusal form which shall become part of their medical file. Inmates who are confirmed by medical staff to be pregnant shall receive the following considerations:

- Shall sign the "Pregnant Inmate Acknowledgement Form" (SH-J-451), as prompted by medical staff. A copy of the form shall be provided to the inmate and the original copy shall be retained in inmate’s medical record.

- Shall be classified in accordance with Custody Division Manual (CDM) sections 5-01/030.00, "Identification and Classification Symbols for Special Handling Inmates," and 5-01/030.05, "Identification and Classification for Pregnant Inmates;"
- Shall be provided a balanced, nutritious diet approved by a doctor.
- Shall receive prenatal and postpartum information and healthcare, including, but not limited to:
    - access to necessary vitamins as recommended by a healthcare professional.
    - information pertaining to childbirth education and infant care.
    - Indicated dental care.
- Advisement, orally or in writing, of the standards and policies governing pregnant inmates, including, but not limited, the provisions of this policy, any relevant regulations, and Penal Code section 3407.

LACTATING OR NURSING INMATES

Provisions for screening and care of lactating inmates shall be provided per Title 15, section 1206. Inmates who claim this condition may be transported to CRDF. Lactating inmates may also be allowed to utilize a breast pump, if one is available at the station jail.

POST-PARTUM PSYCHOSIS

All female arrestees who have given birth within the last 12 months and are charged with murder or attempted murder of her infant(s) require a "Special Mental Disorder Assessment." The inmate shall be transported to CRDF as soon as possible so that she can be assessed for postpartum psychosis and if indicated, referred for further evaluation. The inmates' transfer to CRDF shall be coordinated with the Homicide Bureau detectives investigating the case.

USE OF FORCE INVOLVING PREGNANT INMATES

Pursuant to California Penal Code sections 3408(h), 4023.8(h), the following shall be adhered to:

- Absent circumstances that justify the use of deadly force, special weapons, electronic immobilization devices (TASERs), and chemical agents, including aerosol chemical agents, shall not be used against an inmate known to be pregnant.
- In addition, personnel shall not intentionally expose an inmate known to be pregnant to chemical agents. Absent exigent circumstances requiring immediate use of chemical agents, personnel shall request of pregnant inmates that they vacate areas where unintentional exposure to the chemical agents may be reasonably foreseeable and assist them to a designated secure location. Any refusal by a pregnant inmate to vacate shall be video recorded by a supervisor with the rank of sergeant or higher, and medical personnel shall be summoned to the location.

USE OF RESTRAINTS ON PREGNANT INMATES

Pursuant to California Penal Code sections 3407 and 3408(l), and Title 15, section 1058.5, the following shall be adhered to:

- Inmates known to be pregnant shall not be placed in the safety chair or WRAP restraint.
- Inmates known to be pregnant shall not be handcuffed to the rear during transportation in the WRAP

CART.

- All pregnant inmates shall only be handcuffed individually and with their hands in front of their bodies. Pregnant inmates shall not be handcuffed to other inmates at any time.
- Waist chains shall not be used to restrain a pregnant inmate around the waist, but may be utilized, as a single-wrist restraint or in conjunction with handcuffs, to extend a restrained pregnant inmate’s freedom of movement.
- A pregnant inmate in labor, during delivery, or in recovery after delivery, shall not be restrained by the waist, wrists, or ankles unless the inmate poses an immediate threat of great bodily injury or death to herself, her fetus, others. Custody personnel shall, when feasible, obtain permission from their respective watch commander before applying restraints to a pregnant inmate in labor. If the inmate has been transported to Los Angeles County + USC Medical Center (LCMC), approval may be obtained from the LCMC watch commander. Any use of force investigation shall be completed and reviewed by the transporting custody facility.
- A "RIPP Hobble Restraint" or other leg restraint devices, other than leg irons, may only be used on a pregnant inmate if the inmate poses an immediate threat of great bodily injury or death to herself, her fetus, others. The restraint devices should be used with caution and in the presence of a supervisor when possible. Leg restraint devices should only be used when the pregnant inmate is laying, seated, or being transported on a gurney. A pregnant inmate shall never be asked to walk after a leg restraint or "RIPP Hobble Restraint" has been applied. The restraint shall be applied for the least amount of time necessary to ensure safety and security. Application of leg restraint devices shall be followed immediately by a medical assessment.
- Restraints shall be removed when a medical professional who is currently responsible for the medical care of a pregnant inmate during a medical emergency, labor, delivery, or recovery after delivery, determines the removal of restraints is medically necessary.
- The length of the recovery after delivery or termination of pregnancy will be determined on a case-by-case basis by the medical professional who is currently responsible for the medical care of the inmate.
- This section shall not be interpreted to require restraints in a case where restraints are not required pursuant to a statute, regulation, or correctional facility policy.

As soon as practically possible, the facility watch commander shall be notified any time a pregnant inmate has been restrained during labor. The details of the incident shall be documented in a Chief's Memorandum and include:

- Reason for the restraints.
- Reason which summoned the inmate's need for medical attention.
- Measures taken to deescalate the situation.
- Force used (if any) and the number of deputies involved to place the inmate in restraints.
- Description of when a supervisor was notified, and the actions taken by the supervisor.
- Amount of time the inmate remained in restraints.

Medically ordered restraint devices shall only be used on pregnant inmates or inmates suspected of being pregnant at the direction of medical and/or mental health personnel. A nurse, psychiatrist, or physician shall be present for the placement of the medically ordered restraint devices.

Medical personnel shall assess the inmate’s condition and position once the restraints have been applied.