

## **7-02/010.00 Pregnant Inmates**

For the purposes of this section, "inmate" means an adult or juvenile who is incarcerated in any station jail, court lock-up, or custody facility.

In accordance with CDM section 5-01/030.05, "Identification and Classification Symbols for Pregnant Inmates," and for the purposes of this section, "pregnant inmate" means an inmate that is known to the Department to be pregnant. Inmates known to be pregnant will wear an orange wristband loop along with the K-8 sub-classification code displayed on the wristband. Their uniform consists of a dual-color shirt with a light blue front side and a white back side, and white pants.

Pursuant to California Penal Code sections 3407, 3408(l), 3408(h), 4023.8(h), and Title 15, section 1058.5, the following shall be adhered to.

### **USE OF FORCE INVOLVING PREGNANT INMATES**

- 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 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**

- Inmates known to be pregnant shall not be placed in the safety chair or WRAP restraint.
- Inmates known to be pregnant shall not handcuffed to the rear during transportation in the WRAP CART.
- 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.
- 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.
- 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, or 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, or 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 practical. 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 that the removal of restraints is medically necessary.
- The length of the recovery after delivery 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 put 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**

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.

#### **INTAKE AND HOUSING PROCEDURES FOR INMATES WHO ARE PREGNANT OR SUSPECTED TO BE PREGNANT**

Upon arrival at a custody housing facility, female inmates shall be screened by medical personnel, and if requested, provided a pregnancy examination. Inmates who are deemed by medical staff to be pregnant shall receive the following considerations:

- Medical staff shall have all confirmed pregnant inmates sign "Pregnant Inmate Acknowledgement Form" (SH-J-451). A copy of the form shall be provided to the inmate and the original copy shall be kept in the inmate's medical record.
- All confirmed pregnant inmates shall be classified in accordance with Custody Division Manual (CDM) section 5-01/030.00, "Identification and Classification Symbols for Special Handling Inmates," and CDM section 5-01/030.05, "Identification and Classification for Pregnant Inmates."
- A balanced, nutritious diet approved by a doctor.
- Prenatal and postpartum information and healthcare, including, but not limited to, access to necessary vitamins as recommended by a doctor (CHS policy section M203.03 outlines medical screening time intervals).

- 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 to, the provisions of this policy, any relevant regulations, and Penal Code section 3407.

Custody staff shall collaborate with medical and/or mental health staff to ensure inmates who are pregnant, post-partum, had a miscarriage or terminated pregnancy are placed in an appropriate housing location that is conducive to their access to necessary prenatal/medical care.

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