

5-15-05 Prenatal Notifications/Visiting/Postpartum Inmate Bonding with Newborns-REVISED-CSS 09/28/2022

PURPOSE OF ORDER:

The purpose of this order is to establish procedures regarding labor support, visitation, and bonding practices for pregnant inmates in labor and postpartum inmates housed at Century Regional Detention Facility (CRDF). This order shall apply to pregnant inmates who are scheduled for delivery at the LAC+USC Medical Center (LCMC) or other identified hospital.

SCOPE OF ORDER:

This order shall apply to all personnel assigned to and/or working in any capacity at the CRDF.

ORDER:

Assembly Bill (AB) 732 allows an incarcerated pregnant inmate the opportunity to elect to have a support person during labor, childbirth, and during postpartum recovery while hospitalized. The support person may be an approved visitor or jail staff designated to assist with prenatal care, labor, childbirth, lactation, and postpartum care.

If jail staff is requested to act in the capacity as labor support by an inmate, the [REDACTED TEXT] Liaison shall consult with Correctional Health Services (CHS) personnel, CRDF Access to Care Bureau (ACB) personnel, and the CRDF operations lieutenant. The appropriateness and ability to accommodate the labor support request shall be considered while maintaining compliance with Department policy.

Prenatal Visitor Clearances

The facility [REDACTED TEXT] Liaison shall give all pregnant inmates expecting to deliver at LCMC or other designated hospital, the option of providing up to three (3) names of potential labor/postpartum visitors. The [REDACTED TEXT] Liaison shall contact each potential visitor(s) and send them security clearance forms as required by the Office of Religious and Volunteers Services (RVS). The potential visitor (s) is/are responsible for returning all completed forms to the [REDACTED TEXT] Liaison in a timely manner to ensure clearances can be conducted by RVS.

The [REDACTED TEXT] liaison shall submit the completed forms to the office of RVS who shall conduct the security clearance to the specifications outlined in Custody Division Manual (CDM) section 3-10/010.00, "Entry Criteria for Civilian Volunteers" for each potential visitor. The results shall be provided to the facility [REDACTED TEXT] liaison who will compile a list of cleared and permitted visitors. Two weeks prior to the inmate's scheduled delivery date, the [REDACTED TEXT] liaison shall provide the CRDF legal unit custody assistant with the list of permitted visitors. The legal unit custody assistant will run a cursory search of each visitor to ensure no new warrants or arrests have occurred since the date of the original security clearance by RVS. Once complete, the [REDACTED TEXT] Liaison will fax the clearances to LCMC and save the clearances in the shared files, which can be accessed by any CRDF watch commander and/or watch sergeant. An additional copy of the approved visitor list shall be given to the Main Control supervising line deputy for the purposes of providing a copy to the deputies overseeing hospital security during and after the

inmate's delivery. The list shall be kept with the inmates Postpartum Visitation Newborn Hospital Log.

Labor Support/Postpartum Visiting Protocol for Inmates delivering at LCMC

LCMC custody personnel or the social worker assigned to the pregnant inmate will contact the permitted visitors and provide them with hospital visiting protocols. Only one visitor at a time, per inmate, will be allowed for a labor/postpartum visit in the hospital. The permitted visitor shall be monitored at all times by the responsible deputy. The permitted visitor shall be the only person allowed to have contact with the inmate during the visit.

NOTE: Any visitor who attempts to bring additional guests into the inmate's hospital room shall be turned away immediately.

Hospital personnel may determine that a visit cannot occur or must be terminated due to operational or medical concerns. The visit may be limited based on the discretion of deputy personnel providing security for the inmate due to articulable safety or security concerns.

Once the permitted visitor arrives, a consensual pat down search of the visitor will be conducted to ensure no weapons or contraband (including cellular phones) are present. If the visitor refuses to a consensual pat down search, the visit shall not occur.

All labor/postpartum visits will be conducted in accordance with LCMC's established visiting practices and shall be logged on the inmate's Daily Security Log, denoting the name of the visitor and the times the visit began and ended. If a visit was denied, terminated due a visitor failing to adhere to the rules, or was deemed a potential security risk, the reason shall also be noted in the log.

Labor Support/Postpartum Visiting Protocol for Inmates delivering at an Outside Hospital

The [REDACTED TEXT] Liaison shall contact the labor/postpartum visitor when Correctional Health Services (CHS) personnel have determined the inmate is in active labor and shall be transported to a nearby hospital. If the [REDACTED TEXT] Liaison is unavailable, or it is after hours, the Main Control supervising deputy line deputy shall contact the approved labor/postpartum visitor.

The [REDACTED TEXT] Liaison or the Main Control supervising line deputy shall provide the following information to the identified labor/postpartum visitor:

- Hospital location
- Must bring a valid and current government issued Driver's License and/or Identification Card
- Subject to search
- No weapons, cell phones, or contraband items are allowed
- Approved labor/postpartum visitor shall be instructed to check in with hospital personnel once he/she arrives to the hospital.
- Only one visitor at a time, per inmate, will be allowed for a labor/postpartum visit in the hospital
- The permitted visitor shall be monitored at all times by the responsible deputy
- The permitted visitor shall be the only person allowed to have contact with the inmate during the visit

- Any visitor who attempts to bring additional guests into the inmate's hospital room shall be turned away immediately
- Hospital personnel may determine that a visit cannot occur or must be terminated due to operational or medical concerns
- The visit may be limited based on the discretion of deputy personnel providing security for the inmate due to articulable safety or security concerns

The approved labor/postpartum visitor shall remain at the visitor check in area until a deputy arrives to escort them to the maternity ward. Notification that the approved visitor has arrived shall be made by hospital personnel. One (1) deputy shall remain with the inmate while the second deputy shall report to the visitor's waiting area. At no time shall sworn personnel leave the inmate unattended. The deputy assigned to contact the labor/postpartum visitor shall conduct a consensual pat-down search of the visitor to ensure no weapons or contraband (including cellular phones) are present prior to being escorted to the maternity ward. If the visitor refuses to a consensual pat-down search, the visit shall not occur.

NOTE: Deputy personnel assigned to escort the inmate to the hospital shall ensure they have the approved visitor paperwork prior to leaving the facility. This paperwork shall always remain on their person, in the event of an emergency.

NOTE: When deputy personnel return to the CRDF, they shall provide the Main Control supervising line deputy with the signed Visitation Agreement Form, the Civil Claims Release Form, and the Postpartum Visitation Newborn Hospital Log. The documents shall be retrieved and retained by the [REDACTED TEXT] Liaison.

Postpartum Inmate Bonding with Newborn Babies

Inmates who give birth while in custody are often confined to the maternity unit of the hospital for a medically determined postpartum period. During that time, medical staff will make all determinations as to the best course of postpartum treatment for both the inmate and newborn. This may include visitation and bonding practices such as "kangaroo care" (a method of holding a baby which involves contact of the baby's skin and the parent's bare chest) or "skin-to-skin" contact.

If a deputy has information or previous experience with an inmate that leads them to believe the safety of the newborn is potentially at risk, the deputy shall inform medical staff of the inmate's behavioral or mental health history to allow medical staff to make an informed decision on how to proceed with postpartum care. The deputy shall note the time and name of the medical professional they informed on the inmate's Postpartum Visitation Newborn Hospital Log. In all cases, medical staff will make the final determination regarding inmate/newborn visitation and bonding practices.

NOTE: The Postpartum Visitation Newborn Hospital Log shall be retained by the [REDACTED TEXT] Liaison for a period of two (2) years.

NOTE: Pregnant and postpartum inmates shall only be restrained in accordance with CDM section 7-02/010.00, "Pregnant Inmates."

NOTE: This unit order does not prohibit custody personnel from taking necessary action to ensure officer safety, safety of the inmate, and safety of the newborn child. All related use of force and restraint policies and

procedures shall be adhered to.

Guidelines

Pregnant inmates housed at CRDF shall be afforded the opportunity to participate in the labor support and infant bonding program; however, the [REDACTED TEXT] Liaison, in consultation with the CRDF operations lieutenant, will have the discretion to restrict these privileges based on consideration of the following:

- High risk
- Security level exceeding (7) seven
- Disciplinary action within the last (60) sixty days
- Charges of 4570 PC through 4575 PC
- Domestic violence charges
- Assault or battery charges
- Child abuse or endangerment charges
- Escape classifications
- Bail exceeding one million dollars (includes no bail)

Doula

Doula services shall be offered and arranged by the [REDACTED TEXT] Liaison if the pregnant inmate opts to utilize this service.

Watch Commander Responsibilities:

Per CDM section 5-03/100.00, "Inmate Detention at Hospitals," the watch commander, or their designee, shall notify the law enforcement agency having jurisdiction over the hospital facility where the inmate will be hospitalized. The agency shall be notified that a jail inmate will be at the hospital under the direct supervision of deputy personnel. The notification shall be made at the beginning of each shift as long as the inmate remains at the hospital facility. The time and person notified shall be documented in the CRDF Facility Log. Please refer to CDM section 5-03/100.00 for additional information.

Escapes

If, an inmate escapes deputy personnel's custody, the following steps shall be taken:

- Make every attempt to locate and re-capture the inmate as soon as possible
- Contact hospital security and advise of the escape and order an immediate "lockdown" of the hospital and parking lot
- Contact Sheriff's Communication Center (SCC) regarding the escape (crime broadcast)
- Contact the CRDF Main Control SLD and watch sergeant as soon as possible and advise

NOTE: Refer to CDM sections 5-03/100.00, "Inmate Detention at Hospitals," 4-10/040.00, "Escape File," Manual of Policy and Procedures section 4-08/020.00, "Escapes," and Unit Order 5-03-050, "Inmate Transportation and Admission to Medical Facilities," for additional procedures regarding hospital runs and

inmate escapes.

Additional Rights per AB 732:

- Any inmate shall, upon request, be allowed to continue to use materials necessary for (1) personal hygiene with respect to their menstrual cycle and reproductive system, including but not limited to, sanitary pads and/or tampons at no cost to the inmate, and (2) birth control measures as prescribed by a physician, nurse practitioner, certified nurse midwife or physician assistant.
- Pregnant inmates housed in multitier housing units shall be assigned lower bunk **and** lower tier housing.
- A pregnant inmate in labor and delivery shall be given the maximum level of privacy possible during the labor and delivery process. If a deputy is present, they shall be stationed outside the room rather than in the room absent extraordinary circumstances. If a deputy must be present in the room, the deputy shall stand in a place that grants as much privacy as possible during labor and delivery. The deputy shall be removed from the room if a 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 the deputy is medically necessary.
- Pregnant inmates shall not be tased, pepper sprayed, or exposed to other chemical weapons.

NOTE: Additional information regarding the use of restraints on pregnant inmates may be found in CDM section 7-02/010.00 "Pregnant Inmates."

Revision Date 09/26/2022

Revision Date 05/07/2021
