



DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONAL SERVICES

Report on HB 27 (2015)

Correctional Services – Healthy Births for  
Incarcerated Women Act

December 2015

Governor Larry J. Hogan  
Lt. Governor Boyd K. Rutherford  
Secretary Stephen T. Moyer

## **Introduction**

The enactment of HB 27 during the 2014 Legislative Session required the Department of Public Safety and Correctional Services (DPSCS) to compile an annual report on the number of times physical restraints were used on a pregnant inmate during labor, delivery, and postpartum recovery during the previous calendar year in each State and local correctional facility. Additionally, the bill states that a physical restraint may not be used on an inmate while the inmate is in labor or during delivery, except as determined by the medical professional responsible for the care of the inmate. The bill also states that a physical restraint may only be used on an inmate known to be pregnant or in postpartum recovery if a warden or local sheriff deems it necessary to ensure the safety and security of the inmate or staff and if such a determination is made, the restraint must be the least restrictive necessary. Furthermore, State and local correctional facilities must create a policy based on the language and requirements of the bill. The bill became effective July 1, 2014.

## **State Correctional Facilities**

The Women's Detention Center (WDC) in Baltimore City and the Maryland Correctional Institution for Women (MCIW) fall under the purview of DPSCS. Even prior to the enactment of this legislation, the Department had in place a policy stipulating that a pregnant detainee, inmate or offender may be restrained only when absolutely necessary to protect the pregnant individual from self-harm, harming others, or to prevent escape. Additionally, the policy mandates that if a pregnant detainee, inmate or offender is restrained, the restraint used shall be the least restrictive form of restraint necessary to ensure safety and security with minimum risk to the pregnant individual and the fetus. If a restraint is used, the event must be documented. WDC and MCIW have tracked and reported the following:

- From December 2014 – December 2015, **zero** restraints were used on a known pregnant inmate, detainee or offender at WDC.
- From December 2014 – December 2015, **zero** restraints were used on a known pregnant inmate, detainee or offender at MCIW.

## **Local Correctional Facilities**

As previously stated, DPSCS is also required to report the number of occasions a local correctional facility has restrained a known pregnant inmate, detainee or offender. Please see below, the data DPSCS received from the local correctional facilities from December 2014 – December 2015.

<b>December 2014</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	2	0	0	0	0	0
Anne Arundel	2	3	3	0	0	0
Baltimore Co.	7	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	1	0	0	0	0	0
Cecil	3	2	2	0	0	0
Charles	6	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	2	3	3	0	0	0
Garrett	0	0	0	0	0	0
Harford	3	2	2	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	4	0	0	0	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	0	0	0	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	1	0	0	0	0	0
Talbot	1	0	0	0	0	0
Washington	0	0	0	0	0	0
Wicomico	0	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>53</b>	<b>10</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>January 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	2	0	0	0	0	0
Anne Arundel	5	17	17	0	0	0
Baltimore City	8	0	0	0	0	0
Calvert	0	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	0	0	0	0	0	0
Cecil	2	1	1	0	0	0
Charles	6	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	4	3	3	0	0	0
Garrett	0	0	0	0	0	0
Harford	3	3	3	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	1	0	0	0	0	0
Prince George's	2	0	0	0	0	0
Queen Anne's	1	1	1	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	1	0	0	0	0	0
Washington	0	0	0	0	0	0
Wicomico	0	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>45</b>	<b>25</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>February 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	2	0	0	0	0	0
Anne Arundel	8	14	14	0	0	0
Baltimore Co.	10	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	0	0	0	0	0	0
Cecil	3	2	2	0	0	0
Charles	3	1	1	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	4	3	3	0	0	0
Garrett	0	0	0	0	0	0
Harford	1	1	1	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	1	1	1	0	0	0
Prince George's	2	0	0	0	0	0
Queen Anne's	2	1	1	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	1	0	0	0	0	0
Washington	1	0	0	0	0	0
Wicomico	0	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>53</b>	<b>23</b>	<b>23</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>March 2015</b>	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	6	8	8	0	0	0
Baltimore Co.	10	0	0	0	0	0
Calvert	1	1	1	0	0	0
Caroline	0	0	0	0	0	0
Carroll	0	0	0	0	0	0
Cecil	3	1	1	0	0	0
Charles	5	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	5	5	5	0	0	0
Garrett	1	3	3	0	0	0
Harford	1	2	2	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	1	1	1	0	0	0
Prince George's	2	0	0	0	0	0
Queen Anne's	2	0	0	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	1	0	0	0	0	0
Washington	0	0	0	0	0	0
Wicomico	3	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>50</b>	<b>21</b>	<b>21</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>April 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	2	0	0	0	0	0
Anne Arundel	5	17	17	0	0	0
Baltimore Co.	12	0	0	0	0	0
Calvert	1	1	1	0	0	0
Caroline	0	0	0	0	0	0
Carroll	1	0	0	0	0	0
Cecil	2	3	3	0	0	0
Charles	5	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	5	13	13	0	0	0
Garrett	1	4	4	0	0	0
Harford	1	1	1	0	0	0
Howard	0	0	0	0	0	0
Kent	2	0	0	0	0	0
Montgomery	1	1	1	0	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	0	0	0	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	1	0	0	0	0	0
Talbot	1	0	0	0	0	0
Washington	0	0	0	0	0	0
Wicomico	1	0	0	0	0	0
Worcester	3	0	0	0	0	0
<b>TOTAL</b>	<b>52</b>	<b>40</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>May 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	1	0	0	0	0	0
Anne Arundel	6	6	6	0	0	0
Baltimore Co.	9	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	1	0	0	0	0	0
Cecil	4	3	3	0	0	0
Charles	4	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	6	4	4	0	0	0
Garrett	1	2	2	0	0	0
Harford	1	1	1	0	0	0
Howard	0	0	0	0	0	0
Kent	2	0	0	0	0	0
Montgomery	1	1	1	0	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	0	0	0	0	0	0
St. Mary's	1	0	0	0	0	0
Somerset	1	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	1	0	0	0	0	0
Wicomico	3	0	0	0	0	0
Worcester	1	0	0	0	0	0
<b>TOTAL</b>	<b>53</b>	<b>17</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>0</b>



<b>June 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	0	0	0	0	0	0
Anne Arundel	4	13	13	0	0	0
Baltimore Co.	15	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	2	0	0	0	0	0
Cecil	5	4	4	0	0	0
Charles	1	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	7	13	13	0	0	0
Garrett	1	2	2	0	0	0
Harford	3	2	2	0	0	0
Howard	0	0	0	0	0	0
Kent	1	0	0	0	0	0
Montgomery	1	0	0	0	0	0
Prince George's	2	0	0	0	0	0
Queen Anne's	1	1	1	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	1	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	0	0	0	0	0	0
Wicomico	4	0	0	0	0	0
Worcester	1	1	1	0	0	0
<b>TOTAL</b>	<b>58</b>	<b>36</b>	<b>36</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>July 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	0	0	0	0	0	0
Anne Arundel	2	5	5	0	0	0
Baltimore Co.	11	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	5	0	0	0	0	0
Cecil	6	8	8	0	0	0
Charles	1	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	6	4	4	0	0	0
Garrett	1	4	4	0	0	0
Harford	1	1	1	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	1	0	0	0	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	0	0	0	0	0	0
St. Mary's	1	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	3	0	0	0	0	0
Wicomico	3	0	0	0	0	0
Worcester	2	0	0	0	0	0
<b>TOTAL</b>	<b>57</b>	<b>22</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>August 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	1	0	0	0	0	0
Anne Arundel	1	20	20	0	0	0
Baltimore Co.	13	0	0	0	0	0
Calvert	0	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	1	0	0	0	0	0
Cecil	5	9	9	0	0	0
Charles	1	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	3	4	4	0	0	0
Garrett	1	5	5	0	0	0
Harford	2	3	3	0	0	0
Howard	2	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	1	1	0	1	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	0	0	0	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	3	0	0	0	0	0
Wicomico	4	0	0	0	0	0
Worcester	1	0	0	0	0	0
<b>TOTAL</b>	<b>54</b>	<b>42</b>	<b>41</b>	<b>1</b>	<b>0</b>	<b>0</b>

<b>September 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	1	0	0	0	0	0
Anne Arundel	2	4	4	0	0	0
Baltimore Co.	10	0	0	0	0	0
Calvert	2	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	2	0	0	0	0	0
Cecil	6	15	15	0	0	0
Charles	2	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	1	1	1	0	0	0
Garrett	0	0	0	0	0	0
Harford	2	2	2	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	4	0	0	0	0	0
Prince George's	0	0	0	0	0	0
Queen Anne's	1	0	0	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	3	0	0	0	0	0
Wicomico	1	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>47</b>	<b>22</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>October 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	0	0	0	0	0	0
Anne Arundel	4	6	5	0	0	1
Baltimore Co.	12	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	3	0	0	0	0	0
Cecil	4	10	8	0	0	2
Charles	2	0	0	0	0	0
Dorchester	1	1	1	0	0	0
Frederick	3	2	2	0	0	0
Garrett	0	0	0	0	0	0
Harford	2	0	0	0	0	0
Howard	2	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	4	0	0	0	0	0
Prince George's	0	0	0	0	0	0
Queen Anne's	1	1	1	0	0	0
St. Mary's	2	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	4	0	0	0	0	0
Wicomico	2	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>54</b>	<b>20</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>3</b>

<b>November 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	0	0	0	0	0	0
Anne Arundel	2	4	4	0	0	0
Baltimore Co.	7	0	0	0	0	0
Calvert	2	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	2	0	0	0	0	0
Cecil	3	5	5	0	0	0
Charles	5	1	1	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	2	2	2	0	0	0
Garrett	0	0	0	0	0	0
Harford	1	0	0	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	4	0	0	0	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	2	2	2	0	0	0
St. Mary's	1	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	1	0	0	0	0	0
Wicomico	2	0	0	0	0	0
Worcester	0	0	0	0	0	0
<b>TOTAL</b>	<b>47</b>	<b>14</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>December 2015</b>	<b>Total Pregnant Inmates</b>	<b>All Restraints</b>	<b>During Pregnancy</b>	<b>During Labor</b>	<b>During Delivery</b>	<b>During Postpartum Recovery</b>
Allegany	1	0	0	0	0	0
Anne Arundel	2	4	4	0	0	0
Baltimore Co.	7	0	0	0	0	0
Calvert	2	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	2	0	0	0	0	0
Cecil	1	2	2	0	0	0
Charles	3	0	0	0	0	0
Dorchester	1	0	0	0	0	0
Frederick	3	2	2	0	0	0
Garrett	1	2	2	0	0	0
Harford	2	0	0	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	4	0	0	0	0	0
Prince George's	0	0	0	0	0	0
Queen Anne's	2	1	1	0	0	0
St. Mary's	1	0	0	0	0	0
Somerset	1	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	2	0	0	0	0	0
Wicomico	1	0	0	0	0	0
Worcester	1	1	1	0	0	0
<b>TOTAL</b>	<b>52</b>	<b>12</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>