



DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES

Report on HB 27 (2016)

Correctional Services – Healthy Births for
Incarcerated Women Act

December 2016

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 January 2016 – December 2016, **zero** restraints were used on a known pregnant inmate, detainee or offender at WDC.
- From January 2016 – December 2016, **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 January 2016 – December 2016.

January 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	1	0	0	0	0	0
Anne Arundel	2	1	1	0	0	0
Baltimore Co.	12	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	1	1	1	0	0	0
Charles	3	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	3	3	3	0	0	0
Garrett	0	0	0	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	2	0	0	0	0	0
Prince George's	0	0	0	0	0	0
Queen Anne's	2	2	2	0	0	0
St. Mary's	0	0	0	0	0	0
Somerset	2	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	1	0	0	0	0	0
Wicomico	1	0	0	0	0	0
Worcester	0	0	0	0	0	0
TOTAL	37	9	9	0	0	0

February 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	3	0	0	0	0	0
Anne Arundel	2	6	6	0	0	0
Baltimore Co.	11	0	0	0	0	0
Calvert	2	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	4	0	0	0	0	0
Cecil	6	7	7	0	0	0
Charles	2	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	3	5	5	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	2	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	0	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	1	0	0	0	0	0
Worcester	0	0	0	0	0	0
TOTAL	42	22	22	0	0	0

March 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	4	0	0	0	0	0
Anne Arundel	4	0	0	0	0	0
Baltimore Co.	8	0	0	0	0	0
Calvert	2	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	5	0	0	0	0	0
Cecil	5	11	11	0	0	0
Charles	1	0	0	0	0	0
Dorchester	3	0	0	0	0	0
Frederick	3	4	4	0	0	0
Garrett	0	0	0	0	0	0
Harford	2	1	1	0	0	0
Howard	1	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	3	0	0	0	0	0
Prince George's	6	0	0	0	0	0
Queen Anne's	2	2	2	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	2	0	0	0	0	0
Wicomico	4	0	0	0	0	0
Worcester	1	0	0	0	0	0
TOTAL	56	18	18	0	0	0

April 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	4	4	4	0	0	0
Anne Arundel	1	4	1	1	1	1
Baltimore Co.	10	0	0	0	0	0
Calvert	3	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	5	0	0	0	0	0
Cecil	4	3	3	0	0	0
Charles	1	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	4	4	4	0	0	0
Garrett	0	0	0	0	0	0
Harford	7	4	4	0	0	0
Howard	1	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	2	0	0	0	0	0
Prince George's	3	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	4	0	0	0	0	0
Wicomico	8	0	0	0	0	0
Worcester	3	0	0	0	0	0
TOTAL	61	19	16	1	1	1

May 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	4	4	4	0	0	0
Baltimore Co.	16	0	0	0	0	0
Calvert	4	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	4	0	0	0	0	0
Cecil	3	3	3	0	0	0
Charles	1	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	3	2	2	0	0	0
Howard	1	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	5	0	0	0	0	0
Prince George's	1	0	0	0	0	0
Queen Anne's	3	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	7	0	0	0	0	0
Wicomico	6	0	0	0	0	0
Worcester	2	0	0	0	0	0
TOTAL	62	10	10	0	0	0

June 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	1	0	0	0	0	0
Baltimore Co.	12	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	4	5	5	0	0	0
Charles	1	0	0	0	0	0
Dorchester	3	0	0	0	0	0
Frederick	1	0	0	0	0	0
Garrett	1	1	1	0	0	0
Harford	2	1	1	0	0	0
Howard	2	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	5	0	0	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	0	0	0	0	0	0
Washington	4	0	0	0	0	0
Wicomico	6	0	0	0	0	0
Worcester	3	0	0	0	0	0
TOTAL	53	7	7	0	0	0

July 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	2	2	2	0	0	0
Baltimore Co.	18	0	0	0	0	0
Calvert	1	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	4	0	0	0	0	0
Cecil	11	11	11	0	0	0
Charles	4	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	1	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	0	0	0	0	0	0
Prince George's	1	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	1	0	0	0	0	0
Washington	0	0	0	0	0	0
Wicomico	6	0	0	0	0	0
Worcester	3	0	0	0	0	0
TOTAL	56	18	18	0	0	0

August 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	3	4	4	0	0	0
Baltimore Co.	18	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	3	3	0	0	0
Charles	4	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	0	0	0	0	0	0
Garrett	0	0	0	0	0	0
Harford	6	6	6	0	0	0
Howard	0	0	0	0	0	0
Kent	1	0	0	0	0	0
Montgomery	0	0	0	0	0	0
Prince George's	1	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	1	0	0	0	0	0
Wicomico	0	0	0	0	0	0
Worcester	2	0	0	0	0	0
TOTAL	45	13	13	0	0	0

September 2016	Total Pregnant Inmates	All Restrains	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	1	0	0	0	0	0
Anne Arundel	3	5	4	1	0	0
Baltimore Co.	18	0	0	0	0	0
Calvert	0	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	5	0	0	0	0	0
Cecil	4	6	6	0	0	0
Charles	2	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	5	2	2	0	0	0
Garrett	2	3	3	0	0	0
Harford	11	0	0	0	0	0
Howard	1	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	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	1	0	0	0	0	0
Wicomico	4	0	0	0	0	0
Worcester	0	0	0	0	0	0
TOTAL	61	16	15	1	0	0

October 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	3	10	10	0	0	0
Baltimore Co.	12	0	0	0	0	0
Calvert	0	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	2	0	0	0	0	0
Cecil	2	4	4	0	0	0
Charles	2	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	0	0	0	0	0	0
Garrett	0	0	0	0	0	0
Harford	2	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	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	0	0	0	0	0	0
TOTAL	33	17	17	0	0	0

November 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	1	6	6	0	0	0
Baltimore Co.	11	0	0	0	0	0
Calvert	0	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	2	0	0	0	0	0
Cecil	1	4	4	0	0	0
Charles	1	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	0	0	0	0	0	0
Garrett	0	0	0	0	0	0
Harford	1	3	3	0	0	0
Howard	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Montgomery	0	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	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Talbot	0	0	0	0	0	0
Washington	2	0	0	0	0	0
Wicomico	4	0	0	0	0	0
Worcester	0	0	0	0	0	0
TOTAL	26	15	15	0	0	0

December 2016	Total Pregnant Inmates	All Restraints	During Pregnancy	During Labor	During Delivery	During Postpartum Recovery
Allegany	0	0	0	0	0	0
Anne Arundel	1	2	2	0	0	0
Baltimore Co.	9	0	0	0	0	0
Calvert	0	0	0	0	0	0
Caroline	0	0	0	0	0	0
Carroll	3	0	0	0	0	0
Cecil	2	4	4	0	0	0
Charles	1	0	0	0	0	0
Dorchester	0	0	0	0	0	0
Frederick	0	0	0	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	0	0	0	0	0	0
Prince George's	1	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	2	0	0	0	0	0
Wicomico	3	0	0	0	0	0
Worcester	0	0	0	0	0	0
TOTAL	24	6	6	0	0	0