



NEW YORK STATE SENATOR

Antoine M. Thompson

New York State Senator Antoine M. Thompson Announces Passage Of “Anti-Shackling Bill” "Legislation ends the inhumane practice shackling pregnant inmates in labor."

ANTOINE M THOMPSON May 27, 2009

Albany, NY - NYS Senator Antoine M. Thompson (D-Parts of Erie & Niagara Counties) and the New York State Senate unanimously passed legislation that would prohibit the use of mechanical restraints including handcuffs and shackles, on any pregnant female prisoner who is about to give birth during transport from a correctional facility to a medical facility or other location for the purpose of delivering her child.

“The shackling of female prisoners in labor is not only dangerous to the child and its mother but it is also degrading,” said Senator Thompson. “A mother in labor should be able to maintain her dignity despite her legal status.”

All pregnant women who are within the state's custody deserve the opportunity to deliver their babies safely, no matter the mother's legal status.

This bill, sponsored by Senator Velmanette Montgomery (S.1290-A), will make childbirth safer for the few women who have their baby while they are incarcerated.

The legislation permits the use of handcuffs under extraordinary circumstances where restraints are determined to be necessary to prevent such woman from injuring herself, medical staff, or others.

New York City's Department of Corrections has not reported any escapes or security breaches as a result of a 1990 policy change which required, as this bill does, that restraints be employed only after a case-by-case determination.

This bill also passed in the Assembly (Perry – A.3373-A) and is expected to be signed by the Governor this week.