

Moms Should Not Give Birth in Chains

It doesn't take a medical expert to know that placing ankle, wrist, and even belly chains on a pregnant woman is dangerous to her health and the safety of her pregnancy.

Yet in Iowa, prisons and jails shackle pregnant inmates, even while in labor and even though an armed guard is standing at their sides. They have shackled women in the later months of their pregnancies, also while still under guard, and even when the women are so incapacitated that they are in wheelchairs.

While the federal courts have deemed this cruel and unusual punishment barred by the Constitution, Iowa officials have repeatedly blocked efforts at state reform through legislation.

Despite bipartisan support from a diverse array of organizations, efforts to pass a law that appropriately restricts shackling pregnant women have failed for the second legislative session in a row, despite passing one chamber with unanimous support. This failure is due in large part to opposition by the Department of Corrections and law enforcement groups.

The proposed bills have been reasonable enough. The 2014 bill passed by the Senate merely required that prisons and jails engage in a regulatory process to create rules to govern the appropriate use of restraints on pregnant women. The statute provided that the rules specify that restraints be used only in the least restrictive manner and only after an official had made a determination that the particular woman posed a serious threat of harm or escape that would justify the use of restraints.

Keep in mind that these women—shackled because they're being transported outside the prison to attend legal proceedings, classes, or medical appointments—already have one or more armed guards with them at all times, even in the hospital. For those rare cases—when a woman is

considered a flight risk or potential danger to herself or others and can't be controlled by an armed guard without the restraints—the bills have included provisions to allow them.

The use of restraints, as you can imagine, poses a significant danger to the woman and her pregnancy. As her pregnancy develops, shackles (especially on swollen legs) make movement difficult and create balance problems. The American College of Gynecologists and Obstetricians objects to the practice, citing how restraints interfere with ease of movement during labor and with medical staff's ability to assist in childbirth. Restraints also can create problems with vaginal bleeding, lead to seizures related to hypertensive disease, and increase risk of pulmonary embolism—which is linked to limited mobility and listed as a leading killer of pregnant women in the U.S.

Shackling of pregnant and birthing women is, in fact, opposed by a whole host of other medical associations, including the American Medical Association and the American Public Health Association.

Even law enforcement organizations nationally prohibit or severely limit such shackling. They include the Federal Bureau of Prisons, the U.S. Marshals Service, and U.S. Immigration and Customs Enforcement, which all make the policies on this public.

Efforts to restrict shackling have had broad support from groups as wide-ranging as the Iowa Catholic Conference, Iowa Annual Conference of the Methodist Church, the American Civil Liberties Union of Iowa, the Iowa Right to Life Committee, the Iowa Medical Society, Planned Parenthood, and many others.

In fact, even the Iowa *Board* of Corrections, which governs the Iowa *Department* of Corrections, voted unanimously to support the anti-shackling bills. That is, the board supported legislation limiting shackling until last session's bill started to make progress in the Iowa Senate. At that point, the DOC did a complete turnaround and decided to *oppose* the bill.

This turnaround is even more appalling in light of previous actions by the DOC. For years, the DOC opposed any law limiting shackling because it said shackling didn't happen--right up until it was shown in a Cedar Rapids Gazette article, complete with photos of a woman in shackles during labor and while she held her baby post-partum. The Des Moines Register subsequently ran a series of articles with testimony from other women who were shackled during pregnancy, after labor began, at the hospital prior to birth, and post-partum at the hospital during the recovery period.

Then, in an Orwellian move, the DOC revealed that it had changed its policy governing the transporting of prisoners to restrict the shackling of pregnant inmates—but that the policy is confidential. In fact, apparently, the policy is so confidential that even the doctors, the guards overseeing the women, and even the pregnant women themselves didn't know about it. What's more, the secret policy fails to provide adequate limits on the use of restraints against pregnant women.

Even if the policy were not secret, DOC policies can be changed at whim. Also, DOC policies don't cover Iowa's 99 county jails or non-state detention facilities.

Enough is enough. The life and safety of women and their pregnancies is nothing to play politics with. We urge Iowa legislators to show courage, decency, and compassion. In the 2015 legislative session, pass a bill that limits shackling of pregnant women.

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