



**SUPPORT [SB1209/HB1437](#)  
PROHIBITS SHACKLING OF PREGNANT INCARCERATED WOMEN**

**What SB1209 and HB1437 do:** SB1209, sponsored by Senator Woodson, and HB1437, sponsored by Representatives Harwell and Sontany, prohibit the use of restraints on pregnant incarcerated women unless the women present a serious safety or flight risk.

**Restraining a pregnant woman can pose undue health risks to the woman and her pregnancy.** Shackling pregnant women is dangerous and inhumane. Restraining prisoners and detainees increases their potential for physical harm from an accidental trip or fall. The impact of such harm to a pregnant woman can be severely detrimental to her pregnancy. During labor and post-partum, shackling can interfere with appropriate medical care and be detrimental to the health of the woman and her newborn child.

**The vast majority of female prisoners in Tennessee are non-violent offenders who pose a low security risk—particularly during labor and post-partum.** In the three states that have outlawed shackling of pregnant inmates, there have been no instances of a woman in labor or delivery escaping or causing harm to herself, security guards or medical staff.

**It is unconstitutional cruel and unusual punishment to shackle a pregnant woman during labor and delivery.**

Shackling a woman during labor demonstrates a deliberate indifference to a prisoner's serious medical needs and constitutes cruel and unusual punishment, violating long-established Supreme Court precedent protecting prisoners' 8th Amendment rights.

**National correctional and medical associations oppose the shackling of pregnant women because it is unnecessary and harmful to a woman and her pregnancy.**

The federal Bureau of Prisons, the U.S. Marshalls Office, the American College of Obstetricians and Gynecologists and the American Public Health Association have recognized that shackling women during labor, delivery, and post-partum is unnecessary and dangerous to women's health and well being.

**Freedom from physical restraints is especially critical during labor, delivery and during post-partum recovery after delivery.**

Women often need to move around during labor and recovery, including moving their legs as part of the birthing process. Restraints on a pregnant woman can interfere with the medical staff's ability to appropriately assist in childbirth or to conduct sudden emergency procedures.

**International human rights bodies have repeatedly expressed concern about policies that permit the shackling of pregnant and birthing women.**

Both the Human Rights Committee and the Committee Against Torture at the United Nations, as well as Amnesty International, have recommended an end to shackling women during pregnancy and post-partum.

**What you can do:** Contact your state senator and state representative and urge them to vote **YES on SB1209/HB1437**. The easiest way to contact your legislators is to visit <http://www.capitol.tn.gov>, go to "Find My Legislator," put in your address and click "search."