

# The Dignity for Women Who Are Incarcerated Act

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[IncarceratedWomensHealth.org](https://www.womenshealth.org)

<https://www.wral.com/governor-signs-anti-shackling-bill-help-for-incarcerated-pregnant-women-into-law/19868292/>

# The Dignity for Women Who Are Incarcerated Act<sup>9</sup>

- Enacted in December 2021
- Enhances the care provided to incarcerated pregnant people and includes some basic guidelines for all female incarcerated people
- Applies to all jails and prisons in NC

Full text of the *Dignity for Women who are Incarcerated Act*:

<https://incarceratedwomenshealth.org/resources-for-healthcare-professionals/>

# Dignity Act Provisions for all Females <sup>9</sup>

- To the extent practicable, male employees shall not perform inspections of undressed female incarcerated persons if a female employee is available within a reasonable amount of time.\*
- Sufficient menstrual products must be provided at no cost
- In state prisons, Moms of children under age 1 should be held  $\leq 250$  miles of child's permanent address when possible
  - At least twice-weekly contact visits allowed in low- or minimum-security facilities\*

# Restraints<sup>9,10</sup>

applies to 2nd & 3rd trimester of pregnancy through 6 weeks postpartum

- Prohibits the use of restraints:\*
  - Leg restraints,
  - Handcuffs or other wrist restraints,
  - Restraints connected to others, and/or
  - Waist shackles

\*exceptions can be made for safety and security, but require written report to warden/sheriff within 5 days

- Wrist restraints held in front of the body may be used when in transport outside the correctional facility
- **RESTRAINTS ARE NEVER ALLOWED DURING LABOR OR SUSPECTED LABOR**

# Body Cavity Searches<sup>9</sup>

- Body cavity searches are prohibited anytime during pregnancy through six weeks postpartum by corrections personnel\*
- Rare instances when suspicion of contraband  
–search must only be provided by medical personnel

\*exceptions can be made for safety and security, but require written report to warden/sheriff within 5 days



# Bonding Period<sup>9</sup>

Following delivery, the newborn shall be permitted to remain with the mother while she is in the hospital, barring health or safety risk.



Canva.com, Photography and Elements, 20

# Must Be Provided to Incarcerated Person<sup>9</sup>

*During pregnancy through 6 weeks postpartum*

- Prenatal, labor, and delivery care at no cost
- Prenatal nutrition and supplements at no cost
  - Full range of hospital meals while hospitalized
- Postpartum hygiene/sanitary products at no cost

# Living Conditions

*During pregnancy through 6 weeks postpartum*

- Restrictive housing (solitary) prohibited\*
- Bed must be no higher than three feet off the floor

\*exceptions can be made for safety and security, but require written report to warden/sheriff within 5 days



# *Systemic Issues* Impacting Perinatal Incarceration

- No funding for implementation of the Dignity Act
- Staff shortages in all jail and prison settings
- Most jail health provided through private contractors; services driven by contract
- “Safekeeping” frequently used for pregnancy (may be prior to conviction), can lead to longer periods of incarceration and delay case resolution.
- Medication for Substance Use Disorder is time-sensitive
  - Complications with access dependent on setting; transitions between facilities increase the chance of sudden withdrawal (which increases risk of overdose upon release)
- Separation and child welfare involvement

# Women's Health

## Reminders for Carceral Settings

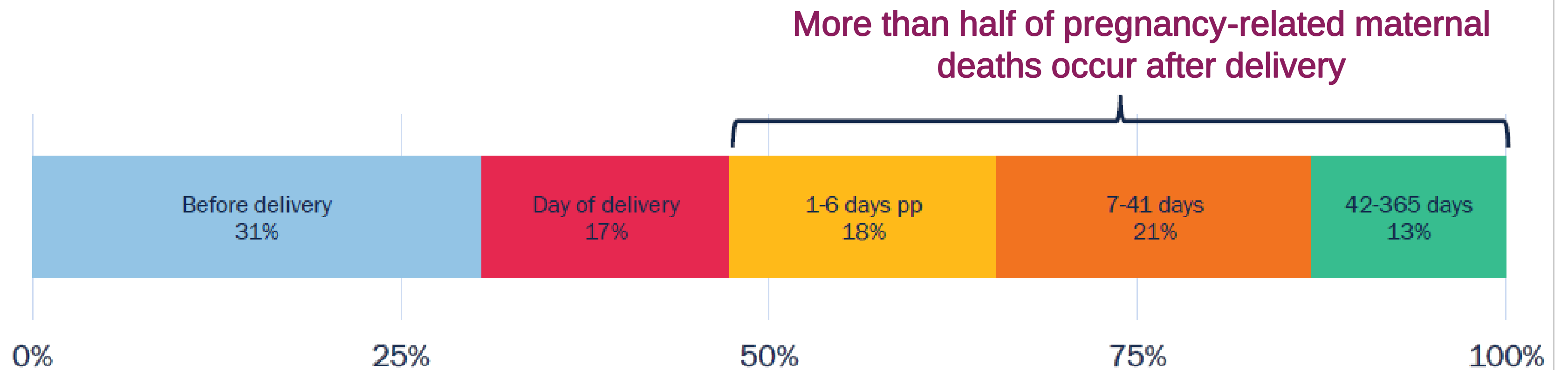
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[IncarceratedWomensHealth.org](https://IncarceratedWomensHealth.org)



# Maternal Mortality<sup>14</sup>



Two thirds of maternal deaths are preventable.

*Pregnancy-Related Mortality in the United States, 2011-2013. <https://www.ncbi.nlm.nih.gov/pubmed/28697109>*

# Hear Her: CDC.gov<sup>15</sup>

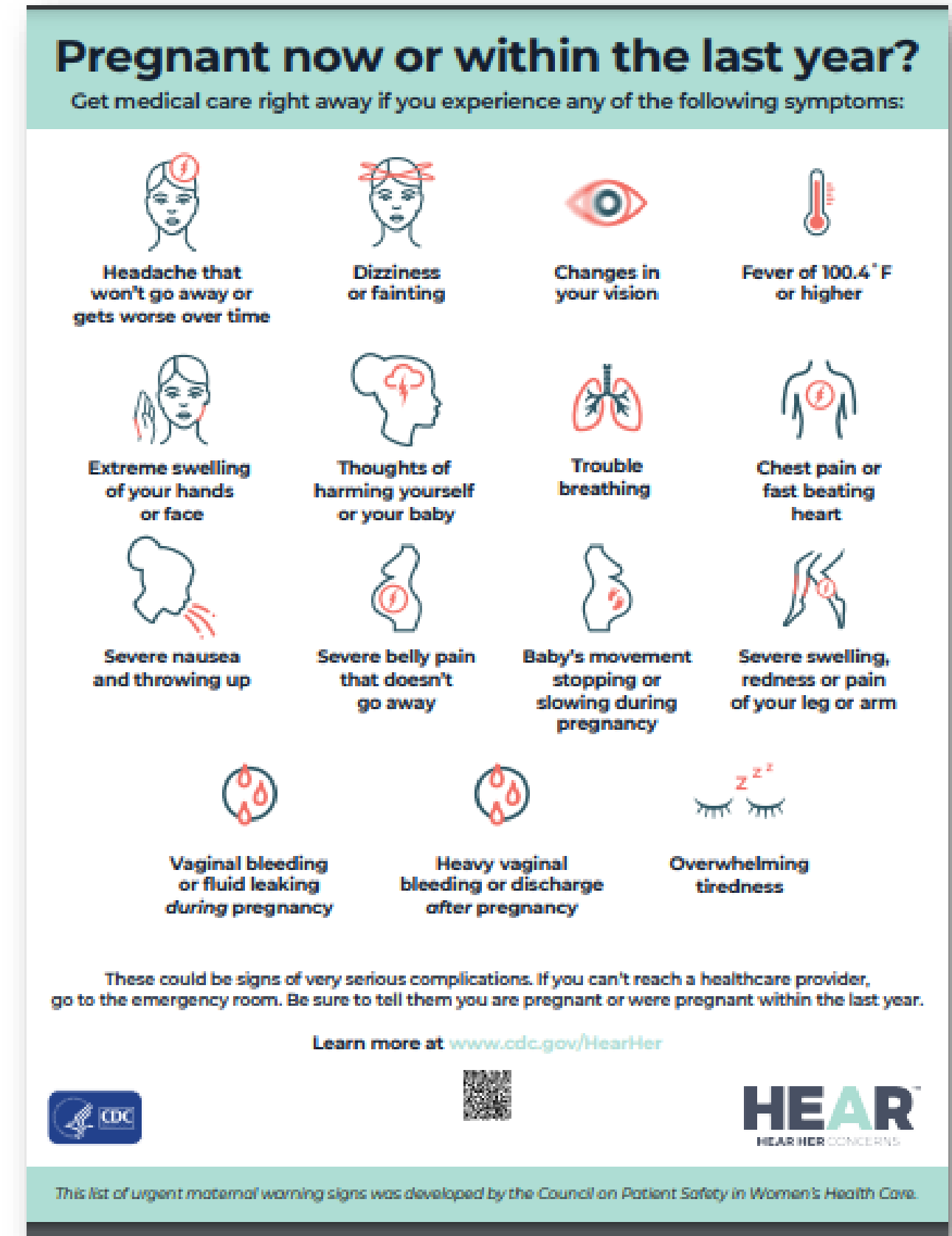


**HEAR**

Know the maternal warning signs.

[Learn More](#)

[www.cdc.gov](http://www.cdc.gov)





**Pregnant now or within the last year?**  
Get medical care right away if you experience any of the following symptoms:

- Headache that won't go away or gets worse over time
- Dizziness or fainting
- Changes in your vision
- Fever of 100.4°F or higher
- Extreme swelling of your hands or face
- Thoughts of harming yourself or your baby
- Trouble breathing
- Chest pain or fast beating heart
- Severe nausea and throwing up
- Severe belly pain that doesn't go away
- Baby's movement stopping or slowing during pregnancy
- Severe swelling, redness or pain of your leg or arm
- Vaginal bleeding or fluid leaking during pregnancy
- Heavy vaginal bleeding or discharge after pregnancy
- Overwhelming tiredness

These could be signs of very serious complications. If you can't reach a healthcare provider, go to the emergency room. Be sure to tell them you are pregnant or were pregnant within the last year.

Learn more at [www.cdc.gov/HearHer](http://www.cdc.gov/HearHer)

  **HEAR**  
HEAR HER CONCERNS

This list of urgent maternal warning signs was developed by the Council on Patient Safety in Women's Health Care.

<https://www.cdc.gov/hearher/resources/download-share/warning-signs-poster.html>

# Vaccination in Pregnancy<sup>17</sup>

- Window of opportunity to get vaccines recommended during pregnancy and postpartum
  - May not have previous prenatal care and may not have been offered vaccination in carceral setting
- Vaccines recommended during pregnancy (can be given at the same time):
  - COVID-19 vaccine series + booster
  - Tdap
  - Flu vaccine



# Tips for Working with Families

Help with connecting back to resources

- Medicaid application process
- Referral to CMHRP, CMARC, NFP
- Substance Use Treatment Services
  - Contact the Alcohol and Drug Council of NC for more information about services visit [alcoholdrughelp.org](http://alcoholdrughelp.org) or call: **1-800-688-4232**
  - MAHEC CARA
  - UNC Horizons Substance Use Disorder Program/Legal Services: **919-903-0591** for help seeking substance use treatment services for incarcerated women upon arrest and at any point during incarceration, including post-release

# Resources for Jails

- Educational materials
- Dignity Bill
- Summary
- IncarceratedWomensHealth.org
- COMING SOON: Healthcare provider training, Corrections officer training modules

## Guidelines Regarding Women in North Carolina Jails



### Dignity for Women Who are Incarcerated Act (SL 2021-143)

#### Requirements During Pregnancy through Six Weeks Postpartum:



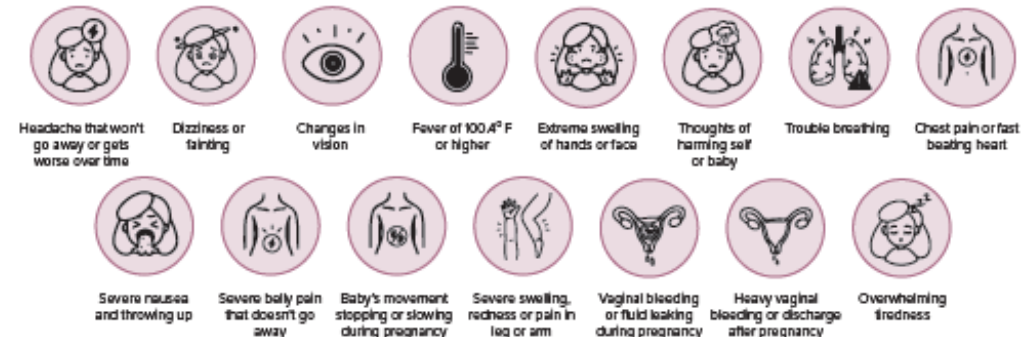
#### Guidelines that apply to all incarcerated females:



\*Exceptions may be made by corrections staff for reasonable safety and security concerns. Written report to sheriff or administrator is required within 5 days documenting instance leading to exception, and a monthly summary of all exceptions must be documented. See the full text for more detail on all provisions of the act.

### Women Who are Pregnant or Have Been Pregnant in the Past Year

Call for immediate medical help and/or 911 for any of the below symptoms. These could be signs of very serious complications.



### Substance Use During Pregnancy

Call for immediate medical help and/or 911 if a pregnant woman who uses substances shows signs of withdrawal.

Including: nausea, vomiting, sweating, muscle aches, agitation, or tremors. It is very dangerous for the mother and fetus to experience sudden withdrawal.




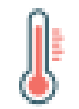











For guidance on pregnant women who use substances, call:

The UNC Horizons Substance Use Disorder Program (919-903-0591)  
Alcohol and Drug Council of NC: Visit or call alcoholdrughelp.org (1-800-688-4232) and ask for perinatal resources.

# Resources for Health




- [IncarceratedWomensHealth.org](http://IncarceratedWomensHealth.org)
- [Dignity Bill](#)
- [Think Cultural Health](#)
- [New Mom Health](#)
- [Hear Her](#)
- Our Children's Place of Coastal Horizons Center

**Pregnant now or within the last year?**  
Get medical care right away if you experience any of the following symptoms:

 Headache that won't go away or gets worse over time	 Dizziness or fainting	 Changes in your vision	 Fever of 100.4° F or higher
 Extreme swelling of your hands or face	 Thoughts of harming yourself or your baby	 Trouble breathing	 Chest pain or fast beating heart
 Severe nausea and throwing up	 Severe belly pain that doesn't go away	 Baby's movement stopping or slowing during pregnancy	 Severe swelling, redness or pain of your leg or arm
 Vaginal bleeding or fluid leaking during pregnancy	 Heavy vaginal bleeding or discharge after pregnancy	 Overwhelming tiredness	

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*Thank You!*

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