American Correctional Association

PUBLIC CORRECTIONAL POLICY ON
USE OF RESTRAINTS WITH PREGNANT OFFENDERS

2012-1

Introduction:

The American Correctional Association has the following policy guidelines for the use of restraints with pregnant offenders. While the safety and security of the public, staff, the institution and offenders must be considered in this process, the well-being of the unborn fetus/child is paramount when considering policies.

Policy Statement:

Female offenders should be restrained in the least restrictive method possible when it is reasonably known that they are pregnant to provide for safety of the unborn fetus/child and the offender.

Consideration for the use of restraints should be based on the following:

A. The chief administrator’s and/or his/her designee’s determination that the offender poses a substantial risk of escape that cannot be reasonably managed with other methods;

B. The medical staff’s determination that restraints are medically necessary and appropriate; and

C. The correctional and medical staff’s determination that there are significant documentable reasons that the offender poses an immediate and serious risk of harm to the unborn fetus/child, the offender, staff and others, including the public, in the vicinity.

D. If wrist restraints are used on an offender who is known to be pregnant, they should be applied in the front so that the offender is able to protect herself in the event of a forward fall.

E. Waist restraints should not be used during pregnancy at any time. Leg restraints should be used only in extreme circumstances and never during labor and delivery. Electronic restraint devices should not be used during pregnancy, labor and delivery.

This policy was unanimously ratified by the American Correctional Association Delegate Assembly at the 147th Congress of Correction in St. Louis, Missouri on August 22, 2017.