

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 920, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "217.149. 1. Female inmates in the last trimester of pregnancy or throughout an at-risk
5 pregnancy may be considered for a pregnancy furlough if the chief medical administrator verifies
6 that the level of medical care that will be rendered to the inmate outside the correctional center is
7 sufficient for the health care needs of the inmate and her unborn child.

8 2. A plan of community supervision shall be developed by a probation or parole officer and
9 approved by the chief administrative officer of the inmate's correctional center, and arrangements
10 shall be made for monitoring the inmate's activities while on furlough. The plan of community
11 supervision shall include supervision contact by the division of probation and parole while the
12 inmate is on furlough status. The correctional center placing the inmate on furlough status shall
13 contact the division of probation and parole in the district where the inmate will be residing during
14 the furlough period and develop community control supervision contact standards. The developed
15 plan shall be attached to the furlough request.

16 3. The correctional center placing the inmate on furlough status shall be responsible for the
17 monitoring of the inmate's progress while on the furlough. Monitoring shall include any changes in
18 the inmate's medical condition or any violations of the rules concerning the furlough. Any changes
19 or violations detected shall be reported immediately to the chief administrative officer of the
20 correctional center placing the inmate on furlough.

21 4. The chief administrative officer of the correctional center is authorized to terminate a
22 pregnancy furlough at any time during the furlough period for noncompliance with the conditions of
23 the furlough. The pregnancy furlough shall be terminated within one week after a satisfactory six-
24 week postpartum examination for a vaginal birth or eight-week postpartum examination for a
25 cesarean birth."; and

26
27 Further amend said bill and page, Section 221.065, Line 7, by inserting after said section and line
28 the following:

29
30 "221.520. 1. As used in this section, the following terms shall mean:

31 (1) "Extraordinary circumstance", a substantial flight risk or some other extraordinary
32 medical or security circumstance that dictates restraints be used to ensure the safety and security of
33 a pregnant offender in her third trimester or a postpartum offender within forty-eight hours
34 postdelivery, the staff of the county or city jail or medical facility, other offenders, or the public;

35 (2) "Labor", the period of time before a birth during which contractions are present;

36 (3) "Postpartum", the period of recovery immediately following childbirth, which is six

Action Taken _____ Date _____

1 weeks for a vaginal birth or eight weeks for a cesarean birth, or longer if so determined by a
2 physician or nurse;

3 (4) "Restraints", any physical restraint or other device used to control the movement of a
4 person's body or limbs.

5 2. A county or city jail shall not use restraints on a pregnant offender in her third trimester,
6 whether during transportation to and from visits to health care providers and court proceedings or
7 medical appointments and examinations, or during labor, delivery, or forty-eight hours postdelivery.

8 3. Pregnant offenders shall be transported in vehicles equipped with seatbelts.

9 4. Any time restraints are used on a pregnant offender in her third trimester or on a
10 postpartum offender within forty-eight hours postdelivery, the restraints shall be the least restrictive
11 available and the most reasonable under the circumstances. In no case shall leg, ankle, or waist
12 restraints or any mechanical restraints be used on any such offender, and, if wrist restraints are used,
13 such restraints shall be placed in the front of such offender's body to protect the offender and the
14 unborn child in the case of a forward fall.

15 5. If a doctor, nurse, or other health care provider treating the pregnant offender in her third
16 trimester or the postpartum offender within forty-eight hours postdelivery requests that restraints not
17 be used, the sheriff or jailer accompanying such offender shall immediately remove all restraints.

18 6. In the event a sheriff or jailer determines that extraordinary circumstances exist and
19 restraints are necessary, the sheriff or jailer shall fully document in writing within forty-eight hours
20 of the incident the reasons he or she determined such extraordinary circumstances existed, the type
21 of restraints used, and the reasons those restraints were considered the least restrictive available and
22 the most reasonable under the circumstances. Such documents shall be kept on file by the county or
23 city jail for at least five years from the date the restraints were used.

24 7. The county or city jail shall:

25 (1) Ensure that employees of the jail are provided with training, which may include online
26 training, on the provisions of this section; and

27 (2) Inform female offenders, in writing and orally, of any policies and practices developed in
28 accordance with this section upon admission to the jail, and post the policies and practices in
29 locations in the jail where such notices are commonly posted and will be seen by female offenders.

30 221.523. 1. By September 1, 2019, all county and city jails shall develop specific
31 procedures for the intake and care of offenders who are pregnant, which shall include procedures
32 regarding:

33 (1) Maternal health evaluations;

34 (2) Dietary supplements;

35 (3) Substance abuse treatment;

36 (4) Treatment for the human immunodeficiency virus and ways to avoid human
37 immunodeficiency virus transmission;

38 (5) Hepatitis C;

39 (6) Sleeping arrangements for such offenders, including requiring such offenders to sleep on
40 the bottom bunk bed;

41 (7) Access to mental health professionals;

42 (8) Sanitary materials;

43 (9) Postpartum recovery, including that no such offender shall be placed in isolation during
44 such recovery; and

45 (10) A requirement that a female medical professional be present during any examination of
46 such offender.

47 2. As used in this section "postpartum recovery" means, as determined by a physician, the
48 period immediately following delivery, including the entire period a offender who was pregnant is in
49 the hospital or infirmary after delivery.

1 221.525. 1. Female offenders in the last trimester of pregnancy or through an at-risk
2 pregnancy may be considered for a pregnancy furlough if a physician verifies that the level of
3 medical care that will be rendered to the offender outside the jail is sufficient for the health care
4 needs of the offender and her unborn child.

5 2. A plan of community supervision shall be developed by a probation or parole officer and
6 approved by the sheriff or jailer of the offender's jail, and arrangements shall be made for
7 monitoring the offender's activities while on furlough. The plan of community supervision shall
8 include supervision contact by the division of probation and parole while the offender is on furlough
9 status. The jail placing the offender on furlough status shall contact the division of probation and
10 parole in the district where the offender will be residing during the furlough period and develop
11 community control supervision contact standards. The developed plan shall be attached to the
12 furlough request.

13 3. The jail placing the offender on furlough status shall be responsible for the monitoring of
14 the offender's progress while on the furlough. Monitoring shall include any changes in the
15 offender's medical condition or any violations of the rules concerning the furlough. Any changes or
16 violations detected shall be reported immediately to the sheriff or jailer of the jail placing the inmate
17 on furlough.

18 4. The sheriff or jailer of the jail is authorized to terminate a pregnancy furlough at any time
19 during the furlough period for noncompliance with the conditions of the furlough. The pregnancy
20 furlough shall be terminated within one week after a satisfactory six-week postpartum examination
21 for a vaginal birth or eight-week postpartum examination for a cesarean birth."; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.