

FIRST REGULAR SESSION

# HOUSE BILL NO. 1330

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOLL.

2679H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 221, RSMo, by adding thereto one new section relating to pregnant prisoners.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 221, RSMo, is amended by adding thereto one new section, to be  
2 known as section 221.520, to read as follows:

**221.520. 1. For purposes of this section, the term "restraints" means any physical  
2 restraint or other device used to control the movement of a person's body or limbs.**

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

**7 3. Pregnant prisoners shall be transported in vehicles equipped with seatbelts.**

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

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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