

HB 1090 -- CERTAIN OFFENDERS

SPONSOR: Collins

This bill prohibits all county and city jails, except in extraordinary circumstances, from using restraints on a pregnant offender in her third trimester, including during transportation or labor, delivery, and 48 hours postdelivery.

In cases of extraordinary circumstances that require restraints to be used, the sheriff or jailer must document, in writing and within 48 hours of the incident, the reason for the restraints used, as specified in the bill. If restraints are used, they must be the least restrictive available and the most reasonable under the circumstances. No leg, ankle, or waist restraints, or mechanical restraints can be used; any wrist restraints used must be placed in front of the offender's body. If a doctor, nurse, or other health care provider treating the pregnant offender during this time requests that restraints not be used, the sheriff or jailer accompanying the offender must immediately remove all restraints.

Pregnant offenders are required to be transported in vehicles equipped with seatbelts. Jails must offer staff training on the provisions of this bill and inform offenders of the policies and practices for restraints on pregnant offenders.

By January 1, 2026, all county and city jails must develop specific procedures for intake and care of pregnant offenders, including the provision of maternal health evaluations; dietary supplements; meals; substance abuse treatment; HIV treatment; Hepatitis C treatment; sleeping arrangements; mental health care; sanitary materials; postpartum recovery; and a female medical professional must be present during any examination of such offender.

This bill is similar to provisions of HB 1777 (2024).