

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ SCS/Senate Bill No. 618, Page 1, Section Title, Lines 3-4,

2 by striking "the detention of persons under the age of seventeen
3 in adult facilities" and inserting in lieu thereof the following:
4 "criminal offenders"; and

5 Further amend said bill, page 8, section 211.151, line 116,
6 by inserting immediately after said line the following:

7 "217.151. 1. For purposes of this section, "extraordinary
8 circumstances" exist when a doctor treating the pregnant or
9 postpartum offender makes an individualized determination that
10 restraints are necessary to prevent a pregnant or postpartum
11 offender from escaping or seriously injuring herself, medical or
12 correctional personnel, or others.

13 2. The necessary health care standards for pregnant and
14 postpartum offenders shall include:

15 (1) Except in extraordinary circumstances, no restraints of
16 any kind may be used on offenders during the second and third
17 trimesters of pregnancy or for forty-eight hours post-delivery,
18 whether during transportation to and from visits to health care
19 providers and court proceedings or during labor and delivery;

20 (2) Pregnant and postpartum offenders shall be transported
21 to and from visits to health care providers and court proceedings
22 in vehicles with seatbelts;

1 (3) Any time restraints are used on a pregnant or
2 postpartum offender, the restraints shall be the least
3 restrictive available and the most reasonable under the
4 circumstances. In no case shall leg or waist restraints be used
5 on any pregnant or postpartum offender; and

6 (4) If a doctor, nurse, or other health care provider
7 treating the pregnant or postpartum offender requests that
8 restraints not be used, the corrections officer accompanying the
9 pregnant or postpartum offender shall immediately remove all
10 restraints.

11 3. In the event a doctor determines that extraordinary
12 circumstances exist and restraints are used, the doctor shall
13 fully document in writing within seven days of the incident the
14 reasons he or she determined such extraordinary circumstances
15 existed, the kind of restraints used, and the reasons those
16 restraints were considered the least restrictive available and
17 the most reasonable under the circumstances.

18 4. The sentencing and corrections oversight commission
19 established under section 217.147, and the advisory committee
20 established under section 217.015, shall conduct biannual reviews
21 of every report written on the use of restraints on a pregnant or
22 postpartum offender in accordance with subsection 3 of this
23 section to determine compliance with this section. The written
24 reports shall be kept on file by the department for five years.

25 5. The chief administrative officer of each correctional
26 center shall:

27 (1) Ensure that employees of the correctional center who
28 come in contact with pregnant or postpartum offenders are
29 provided with training, which may include online training, on the

1 provisions of this section; and

2 (2) Inform female offenders of the policies and practices
3 developed in accordance with this section upon admission to the
4 correctional center, including the policies and practices in the
5 offender handbook, and post the policies and practices in
6 locations in the correctional center where such notices are
7 commonly posted and will be seen by female offenders, including
8 common housing areas and health care facilities."; and

9 Further amend the title and enacting clause accordingly.

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