



## 2020 New York State YMCA

### Youth And Government

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FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Liberty 4

Bill #: SL-27

**Sponsors:** Allison GiamBruno and Amanda Diffie

#### **An Act To**

Amend Correction law S 137 and add provision h to prohibit the use of segregated confinement in New York State prisons for inmates who are pregnant or have given birth six weeks prior.

***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

#### **Purpose**

The purpose of this bill is to ensure that pregnant inmates do not increase their chances of pregnancy related issues with the use of solitary confinement and protect both the mother and the child's well being during and after childbirth.

#### **Summary of Provisions**

##### Section 1

Postpartum: The period just after delivery

Subacute postpartum period: two to six weeks after childbirth

Solitary Confinement: the isolation of a prisoner in a separate cell as a punishment.

##### Section 2

(g) Within twenty-four hours of disciplinary confinement, keeplock pending a disciplinary hearing, placement in a segregated confinement unit for administrative purposes, or placement in a residential mental health treatment unit, and at weekly intervals thereafter for the duration of such confinement, an inmate shall be permitted to make at least one personal phone call, except when to do so would create an unacceptable risk to the safety and security of inmates or staff.

(h) If an inmate is found to be pregnant they will not be subject to solitary confinement until six weeks after the birth of the child

#### **Justification**

Pregnant women are susceptible to a variety of different issues in normal circumstances and the risk of those issues greatly increase when pregnant women are placed in solitary confinement.

These issues can include sensory deprivation, anxiety, loss of appetite, and increased risk of suicide, all of which can have detrimental effects on both the mother and the fetus. Not only does solitary confinement potentially harm pregnant women but women in postpartum recovery as well because the chances of postpartum depression increases greatly. This bill could



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potentially decrease these issues within New York state's pregnant inmate population and ensure their children are not unfairly punished for their mothers actions.

**Fiscal Implications**

This bill would have no fiscal implications

**Effective Date**

January 1, 2021