The Dignity for Women

Who Are Incarcerated Act

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IncarceratedWomensHealth.org
The Dignity for Women Who Are Incarcerated Act

• Enacted in December 2021

• Enhances the care provided to incarcerated pregnant people and includes some basic guidelines for all female incarcerated people

• Applies to all jails and prisons in NC

Full text of the *Dignity for Women who are Incarcerated Act*: https://incarceratedwomenshealth.org/resources-for-healthcare-professionals/
**Dignity Act** Provisions for all Females

- To the extent practicable, male employees shall not perform inspections of undressed female incarcerated persons if a female employee is available within a reasonable amount of time.*

- Sufficient menstrual products must be provided at no cost

- In state prisons, Moms of children under age 1 should be held ≤250 miles of child’s permanent address when possible
  - At least twice-weekly contact visits allowed in low- or minimum-security facilities*
IncarceratedWomensHealth.org

Restraints\textsuperscript{9,10} applies to 2nd & 3rd trimester of pregnancy through 6 weeks postpartum

• Prohibits the use of restraints:*  
  – Leg restraints,  
  – Handcuffs or other wrist restraints,  
  – Restraints connected to others, and/or  
  – Waist shackles  
    *exceptions can be made for safety and security, but require written report to warden/sheriff within 5 days

• Wrist restraints held in front of the body may be used when in transport outside the correctional facility

• RESTRAINTS ARE NEVER ALLOWED DURING LABOR OR SUSPECTED LABOR
Body Cavity Searches

- Body cavity searches are prohibited anytime during pregnancy through six weeks postpartum by corrections personnel*

- Rare instances when suspicion of contraband—search must only be provided by medical personnel

*exceptions can be made for safety and security, but require written report to warden/sheriff within 5 days
Following delivery, the newborn shall be permitted to remain with the mother while she is in the hospital, barring health or safety risk.

Bonding Period\(^9\)
Must Be Provided to Incarcerated Person during pregnancy through 6 weeks postpartum

• Prenatal, labor, and delivery care at no cost

• Prenatal nutrition and supplements at no cost
  – Full range of hospital meals while hospitalized

• Postpartum hygiene/sanitary products at no cost
Living Conditions

*During pregnancy through 6 weeks postpartum*

- Restrictive housing (solitary) prohibited*

- Bed must be no higher than three feet off the floor

*exceptions can be made for safety and security, but require written report to warden/sheriff within 5 days*
Systemic Issues Impacting Perinatal Incarceration

- No funding for implementation of the Dignity Act
- Staff shortages in all jail and prison settings
- Most jail health provided through private contractors; services driven by contract
- “Safekeeping” frequently used for pregnancy (may be prior to conviction), can lead to longer periods of incarceration and delay case resolution.
- Medication for Substance Use Disorder is time-sensitive
  - Complications with access dependent on setting; transitions between facilities increase the chance of sudden withdrawal (which increases risk of overdose upon release)
- Separation and child welfare involvement

IncarceratedWomensHealth.org
Women’s Health

Reminders for Carceral Settings

IncarceratedWomensHealth.org
Maternal Mortality

Two thirds of maternal deaths are preventable.

More than half of pregnancy-related maternal deaths occur after delivery.

Before delivery 31%
Day of delivery 17%
1-6 days pp 18%
7-41 days 21%
42-365 days 13%

Hear Her: CDC.gov

Know the maternal warning signs.
Learn More
www.cdc.gov

Pregnant now or within the last year? Get medical care right away if you experience any of the following symptoms:

- Headache that won't go away or gets worse over time
- Dizziness or fainting
- Changes in your vision
- Fever of 100.4°F or higher
- Extreme swelling of your hands or face
- Thoughts of harming yourself or your baby
- Trouble breathing
- Chest pain or fast beating heart
- Severe nausea and throwing up
- Severe belly pain that doesn't go away
- Baby's movement stopping or slowing during pregnancy
- Severe swelling, redness or puffy of your leg or arm
- Vaginal bleeding or fluid leaking during pregnancy
- Heavy vaginal bleeding or discharge after pregnancy
- Overwhelming tiredness

These could be signs of very serious complications. If you can't reach a healthcare provider, go to the emergency room. Be sure to tell them you are pregnant or were pregnant within the last year.

Learn more at www.cdc.gov/HearHer

This list of urgent maternal warning signs was developed by the Council on Patient Safety in Women's Health Care.

https://www.cdc.gov/hearher/resources/download-share/warning-signs-poster.html
Vaccination in Pregnancy

• Window of opportunity to get vaccines recommended during pregnancy and postpartum
  – May not have previous prenatal care and may not have been offered vaccination in carceral setting

• Vaccines recommended during pregnancy (can be given at the same time):
  – COVID-19 vaccine series + booster
  – TDaP
  – Flu vaccine
Tips for Working with Families

Help with connecting back to resources

• Medicaid application process
• Referral to CMHRP, CMARC, NFP

• Substance Use Treatment Services
  • Contact the Alcohol and Drug Council of NC for more information about services visit alcoholdrughelp.org or call: 1-800-688-4232
  • MAHEC CARA
  • UNC Horizons Substance Use Disorder Program/Legal Services: 919-903-0591 for help seeking substance use treatment services for incarcerated women upon arrest and at any point during incarceration, including post-release.
Resources for Jails

- Educational materials
- Dignity Bill
- Summary
- IncarceratedWomensHealth.org
- COMING SOON: Healthcare provider training, Corrections officer training modules
Resources for Health

• IncarceratedWomensHealth.org
• Dignity Bill
• Think Cultural Health
• New Mom Health
• Hear Her
• Our Children’s Place of Coastal Horizons Center
12. Trauma reference
Thank You!

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