

To: Members of the Wisconsin Senate Committee on Judiciary and Public Safety  
From: Disability Rights Wisconsin  
Date: October 18, 2017  
Re: Support of 2017 Senate Bill 393

Disability Rights Wisconsin (DRW) supports 2017 SB 393, which would limit restraints of pregnant and postpartum women who are incarcerated and require correctional facilities to provide health services and information related to pregnancy, labor, and the postpartum period. Approximately 45% of women in prisons and jails in the U.S. report having physical disabilities, developmental disabilities, and/or sensory disabilities<sup>1</sup> and approximately 68% report being diagnosed with a mental illness.<sup>2</sup> As the protection and advocacy system for children and adults with disabilities in Wisconsin, DRW serves all people with disabilities. DRW advocates for mental health services for criminal justice involved adults by advocating for the least restrictive appropriate treatment and early intervention and treatment. The American College of Obstetricians and Gynecologists (ACOG), noting that many pregnancies for women who are incarcerated are high-risk given high rates of mental illness, prior substance use, poor nutrition, and lack of prenatal care, supports policies that provide women with necessary pre-and post-natal care. ACOG also opposes shackling pregnant women while in labor, delivery, or while recuperating after delivery as these practices may affect the health and well-being of the mother and fetus.<sup>3</sup> Given the harmful effects of restraining pregnant women and the high percentage of women who are incarcerated and who have a diagnosis of a mental illness or have a physical, intellectual, or sensory disability, DRW supports 2017 SB 393.

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<sup>1</sup> <https://www.bjs.gov/content/pub/pdf/dpji1112.pdf>

<sup>2</sup> <https://www.themarshallproject.org/2017/06/22/the-mental-health-crisis-facing-women-in-prison>

<sup>3</sup> <https://www.acog.org/Resources-And-Publications/Committee-Opinions/Committee-on-Health-Care-for-Underserved-Women/Health-Care-for-Pregnant-and-Postpartum-Incarcerated-Women-and-Adolescent-Females>

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