



WISCONSIN LEGISLATURE

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Bill to Limit Shackling of Incarcerated Women during Labor and Childbirth Passes Senate Committee on Judiciary and Public Safety

MADISON – Today, the Senate Committee on Judiciary and Public Safety unanimously passed Senate Bill 393, authored by Senator Lena Taylor (D-Milwaukee) and Representative Lisa Subeck (D-Madison). SB 393 would restrict shackling of incarcerated women during labor and childbirth and would ensure incarcerated women have access to needed maternal support services including the supplies for pumping breast milk, postpartum health care, and testing for pregnancy and sexually transmitted diseases. The legislation was introduced in response to reports of multiple incarcerated women being shackled while in labor in Milwaukee County. Federal facilities and 18 states already have policies that prohibit or restrict shackling pregnant women.

“I am pleased that the Senate is moving forward on this critical piece of legislation to protect pregnant women who are incarcerated,” said Sen. Taylor. “I was horrified to learn that a lawsuit in Milwaukee County documented one woman being handcuffed and shackled throughout 21 hours of labor and another woman giving birth with her wrists handcuffed to her waist and connected to her legs.”

The bill had a great show of support and positive reception at the public hearing last week, which resulted in the Committee Chair Senator Van Wanggaard to sign on as a co-sponsor to the bill. SB 393 would create the much needed statutory guidance on when corrections officers may shackle pregnant women and limit the practice to only when absolutely necessary to preserve safety. The bill would also give incarcerated women access to much needed maternal support services including the ability to pump breast milk for their babies, helping get their children off to a healthy start. Finally, the bill would expand voluntary STI testing in correctional facilities, which will increase early detection and decrease the risk of transmission to a pregnant woman’s child.

“Today’s committee action moves Wisconsin one step closer to ending the dangerous and inhumane practice of unnecessarily shackling incarcerated women in labor,” said Rep. Subeck “No mother should be unnecessarily restrained during labor or childbirth, and no child should be born to a mother in shackles.”

The bill will now need to advance to the full Senate for a vote.

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