Pregnancy in Prison:
An International Public Health Issue

Anna McWilliams
ID280
January 28, 2018
What does a woman need when she’s pregnant?
"I want people to remember that I'm also a human"
Why is this an International Public Health Issue?

International Health: “Acknowledges that health status varies by country and community, and that not all solutions are ‘global’.”
Hennepin County Jail (MN)
Data from “Pregnancies Behind Bars”

**Figure 1. Demographics of patients studied**

<table>
<thead>
<tr>
<th>Age</th>
<th>28.23 (mean)</th>
<th>.5467 (standard error)</th>
<th>27.15-29.32 (95% confidence interval)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>Black (40%)</td>
<td>White (26%)</td>
<td>Native American (15%)</td>
</tr>
<tr>
<td></td>
<td>Hispanic (5%)</td>
<td>Other/Unknown (14%)</td>
<td></td>
</tr>
<tr>
<td>Jail History Prior to Pregnancy</td>
<td>Yes (67%)</td>
<td>No (32%)</td>
<td>Unknown (1%)</td>
</tr>
<tr>
<td>Marital Status</td>
<td>Married (8%)</td>
<td>Single (73%)</td>
<td>Divorced (3%)</td>
</tr>
</tbody>
</table>

**Figure 2. Mental Health Disorders in patients studied**

- Mental Health Disorder: 67.5%
- No Mental Health Disorder: 32.5%

**Figure 3. Correlation between prenatal care and Incarceration History**

<table>
<thead>
<tr>
<th>History of Jail Admission Prior to Pregnancy</th>
<th>No History of Jail Admission Prior to Pregnancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Prenatal Care</td>
<td>13 (43.33%)</td>
</tr>
<tr>
<td>Any Prenatal Care</td>
<td>11 (36.67%)</td>
</tr>
<tr>
<td>Unknown</td>
<td>6 (20%)</td>
</tr>
<tr>
<td>No Prenatal Care</td>
<td>34 (53.97%)</td>
</tr>
<tr>
<td>Any Prenatal Care</td>
<td>26 (41.27%)</td>
</tr>
<tr>
<td>Unknown</td>
<td>3 (4.76%)</td>
</tr>
</tbody>
</table>

Chi-Square=5.4392, P-value= 0.066
US Statistics/Policies

Data from a 1991 study:

- 76-78% of women in US prisons/jails have children
- 7% of women in US prisons/jails are pregnant
- 80% of incarcerated pregnant women have mental health issues
- 10-30% of pregnant women in US have mental health issues
- 80% of pregnant women in US prisons are single

Hopeful:

- PIPS study will have data available soon, but most recent stats are from 1991
- 21 states have anti-shackling laws in place, including Minnesota.
  - 23/27 women in a New York Prison study were found to be shackled even after the anti-shackling law had been passed.
3. Pregnancy and Abortion

The number of pregnant inmates in prisons and jails is substantial. In one federal prison housing 1,300 women, the government estimates that about 50 are pregnant at any one time (Berrios-Berrios v. Thornburg, 1989). Treatment for (or to avoid) the complications of pregnancy constitutes a serious health care need within the context of the eighth amendment (Boswell v. Sherburne County, 1988).

Babies born to incarcerated women, however, can be separated from their mothers because there is no constitutional right to keep a child in prison. One federal court, however, has required prison officials to permit a prisoner to breast feed her newborn child during visiting hours (Berrios-Berrios v. Thornburg, 1989).

The termination of an unwanted pregnancy also is considered a serious medical need, and the denial of an abortion constitutes deliberate indifference. Jail or prison officials must provide for abortions regard-less of the prisoner’s ability to pay (Monmouth County Correctional Institution Inmates v. Lanzaro, 1987). “
WHO Euro statistics/policies

-Babies stay in prisons with mothers, up to 3 years old (varies by country)! In WBUs (women and baby units)...contain kitchen, toys for child, etc.

-Prisons are not run through ministries of health, so data doesn’t exist on them as much...WHO Euro has suggested that this should be a priority
Pregnancy, postnatal care and breastfeeding

58. To protect the health of the mother and of the newborn child, pregnancy should in principle be an obstacle to incarceration, both pre-trial and post-conviction, and pregnant women should not be imprisoned except for absolutely compelling reasons. When a woman in prison is found to be pregnant, the need for her imprisonment should immediately be reviewed and continue to be reviewed throughout the pregnancy. Pregnant women in prison should be considered for non-custodial measures throughout their remaining prison term (Bastick, 2005).

59. Pregnancy affects many areas of a woman’s life, including health, diet and exercise requirements (Robertson, 2008). Pregnant women in prison should be ensured a nutritious diet, timely and regular meals (not being kept to a rigid timetable), a healthy environment and regular exercise (United Nations Office on Drugs and Crime, 2008). Further, the difficulties of coping with morning sickness should be considered.

60. Pregnant prisoners should be provided with the same level of health care as that provided to women outside prison, including access to obstetricians, gynaecologists, midwives and birthing practitioners appropriate to their culture. Pregnant prisoners should have access to female practitioners if requested. Women may also decide not to proceed with their pregnancy in prison, especially if they were previously unaware that they were pregnant. Treatment options equivalent to those available in the community should be guaranteed (WHO Regional Office for Europe, 2007a).

61. Adequate health care during birth is clearly essential for the mother and child. However, many women in prison do not have access to any education in breathing and birthing techniques to help prepare them for the birth. Depending on the country and the prisoner, women may give birth either in prison or at a public hospital (Bastick, 2005). A public hospital should always be first choice. Regulations governing the transport of pregnant women to a hospital or care centre should be in place (such as facilitating frequent toilet breaks). The use of shackling during labour must be completely banned. Further, male non–health care officers must not be present while women are in labour or delivering.

62. Similar to pregnant women, breastfeeding women have specific health and nutrition needs that are often unmet in prison. Appropriate food must be provided free of charge for breastfeeding women, as well as for their babies, including milk, high-protein products and fresh fruit and vegetables (United Nations Office on Drugs and Crime, 2008). Meals should be provided regularly and flexibly, not being kept to a rigid timetable. Mothers require health checks to ensure that their body is recovering from birth healthily, and to ensure, for example, that they do not have any infection they might transmit to the child through breastfeeding (Bastick, 2005). Being infected with hepatitis C does not contraindicate breastfeeding, because no evidence indicates that breast-milk can spread hepatitis C. Mothers living with HIV, however, are recommended to exclusively breastfeed for the first six months of life unless replacement feeding is acceptable, feasible, affordable, sustainable and safe for them and their infants before that time. When replacement feeding is acceptable, feasible, affordable, sustainable and safe, women living with HIV are recommended to avoid all breastfeeding (WHO, 2009c). Women in prison are often discouraged from breastfeeding, as it is perceived to interfere with prison routines (Bastick, 2005). However, it is widely recognized that breastfeeding is the best method of infant feeding.

63. In the postnatal period, the privacy of mother and baby and family visitors must be respected to provide a good environment for family bonding and feeding. After birth, women should receive appropriate counselling and support and be carefully monitored for depression (Bastick, 2005). Further, in miscarriage, counselling is essential and should always be provided.
What can we do?

1) Sign this petition: "Dignity Act" Petition

2) Educate yourself and Educate Others:
   "Babies Behind Bars" Documentary
   "The 13th" Documentary
   "Jail Care" Book (By Dr.Clarolyn Sufrin)

3) Do Not Judge

4) Work with MN prison doula project
   http://www.mnprisondoulaproject.org
Sources


http://notenoughgood.com/2012/08/prisons/


http://www.who.int/bulletin/volumes/93/10/14-151282/en/

https://www.pipsdata.org


http://www.tandfonline.com/doi/abs/10.1080/03630242.2014.932894


https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4425328/

Thank you!

ANY

QUESTIONS