



Legislative Testimony
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**Written Testimony Supporting
Senate Bill 13, An Act Concerning Fair
Treatment of Incarcerated Women**

Senator Doyle, Senator Kissel, Representative Tong, and distinguished members of the Judiciary Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of Senate Bill 13, An Act Concerning Fair Treatment of Incarcerated Women, which takes critical steps toward respecting incarcerated women's health, human rights, and dignity. Additionally, we suggest that the committee add language to broaden the protections afforded to incarcerated women.

Though the Department of Correction (DOC) has a comprehensive directive that includes many of the same provisions as the bill, it is important to codify that directive into law to help ensure that future commissioners of the Department of Correction comply with these provisions.

The bill would prohibit the shackling of incarcerated people during labor. Shackling people during labor is inhumane and dangerous for both the person giving birth and their baby. Senate Bill 13 would also require that the DOC provide prenatal and post-partum services and support to incarcerated women who are pregnant, provide parenting support to incarcerated people, and establish child-friendly visitation policies. All of these provisions would help to create a family-centered experience for incarcerated people and their children and ensure that incarcerated women have the resources they need.

Other provisions in the bill would take more general steps toward respecting incarcerated women's health care needs, dignity, and human rights. The bill would require the DOC to provide incarcerated people with menstrual hygiene products at no cost to them, a basic step toward respecting incarcerated people's dignity during their menstrual cycles. Currently, the state is denying adequate access to these items, and incarcerated people are left to either buy these supplies themselves or go without them. The bill would also provide more privacy for incarcerated women by prohibiting non-medical staff of the opposite

gender from viewing or interfering with them when they are engaged in personal activities such as showering, using restroom facilities, and changing. Because 86% of imprisoned women report that they experienced sexual violence during their lives, this bill would enhance requirements for gender-specific and trauma-related trainings for staff at correctional facilities. The bill would also require the DOC to develop and implement a policy regarding incarcerated people who are transgender. This is incredibly important, because transgender prisoners often experience discrimination and violence in prison and are not allowed to live according to their gender identity and expression.

Though the ACLU-CT supports this bill, we believe the legislature should add additional protections to strengthen it. We encourage the committee to add language that requires the Department of Correction to provide all incarcerated women with a copy of a written “Pregnant Women’s Bill of Rights” that includes the provisions of the bill and other services that should be provided to incarcerated pregnant women. The committee should also rework the bill language to provide more clarity around the use of restraints on pregnant people when they are not in labor. In particular, we hope the committee will add language to the bill that prohibits the use of any restraints and shackling during the transport of any person in their third trimester of pregnancy. The ACLU-CT also encourages the committee to add language to the bill that requires the DOC to allow bonding time with a newborn after delivery. We encourage the committee to require the commissioner of the DOC to create visitation policies that focus on the needs of children with incarcerated family members, parenting for incarcerated parents, and incarcerated women who have children under the age of 18. Finally, we encourage the committee to add language to the bill to require comprehensive annual reporting from the DOC about the restraint of pregnant people who are incarcerated.

We encourage the committee to support Senate Bill 13 with these added provisions.