

Legislation Text

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Urging the Pennsylvania State Senate and Governor Tom Wolf to pass House Bill 1419, known as the “Dignity for Incarcerated Women” Act, intended to improve conditions and treatment of pregnant people in Pennsylvania’s jails and prisons.

WHEREAS, Philadelphia and other cities across Pennsylvania have seen a significant increase in the number of incarcerated women and people who may become pregnant over the past three decades. The Dignity for Incarcerated Women Act would update oversight and protections in light of this population rise that has led to the inhumane treatment of incarcerated women, who are disproportionately Black; and

WHEREAS, H.B. 1419 would ban shackling pregnant people, who often receive medical treatment while being chained to their beds, and would enhance restraint documentation so that more information is available about the rate and duration of shackling; and

WHEREAS, The Act would also provide for free period and incontinence products for incarcerated individuals, allow three days of post-delivery bonding time between mother and newborn child, and improve visitation rights for incarcerated parents and their children; and

WHEREAS, Trauma-informed practices and documentation would be incorporated into staff training for all corrections officers interacting with pregnant and postpartum people as part of the Act; and

WHEREAS, The training program would ensure that participating correctional officers are informed about the potential negative impacts their actions could have on the physical and mental health of the pregnant or postpartum individual and unborn child, including the impact of being placed in restrictive housing and invasive searches on a pregnant individual; and

WHEREAS, Prime Sponsor Representatives Lori A. Mizgorski, Mike Jones, Morgan Cephas, and Tina M. Davis first introduced the Dignity for Incarcerated Women Act in May of 2021. This group of legislators worked alongside the Dignity Act Now Collective to center the voices of incarcerated people who are pregnant or may become pregnant to advance these medical protections; and

WHEREAS, H.B. 1419 passed unanimously from the House of Representatives on September 14, 2022 and was referred to the Senate Judiciary Committee on September 21, 2022; and

WHEREAS, Similar protections have been recently implemented in federal incarceration facilities. In 2017, Senators Warren and Booker first introduced the Dignity for Incarcerated Women Act in Congress; and

WHEREAS, Three of the provisions of the federal bills were included in a larger criminal justice package that was signed into law in December 2018, also known as the “First Step” Act: 1) to effectively ban the shackling of pregnant women, 2) require incarcerated individuals be placed within 500 miles of the nearest family member, and 3) provide tampons and pads to all women behind bars free of charge; and

WHEREAS, H.B. 1419 would advance well-vetted provisions at both the state and county level, with necessary oversight from children and youth services that will not only benefit incarcerated women, but their children, families, and society as a whole; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the Pennsylvania State Senate and Governor Tom Wolf to pass House Bill 1419, known as the “Dignity for Incarcerated Women” Act, intended to improve conditions and treatment of pregnant people in Pennsylvania’s jails and prisons.