

Use of Restraints Limited for Pregnant JR Youth

This fact sheet explains the legal requirements limiting the use of restraints with pregnant youth as defined in RCW 70.48.020.

It also explains how Juvenile Rehabilitation (JR) meets these requirements.

Substitute House Bill 2747

Substitute House Bill 2747 passed during the 2010 legislative session is an act relating to the use of restraints on women who are pregnant. The bill limits the use of restraints on any pregnant youth in JR, during transports in the third trimester of her pregnancy, while in labor and during delivery or postpartum recovery.

Requirements of the Law

JR must inform all known pregnant youth of the requirements of the law. JR staff must provide this fact sheet at the time of intake or when the youth receives information about facility rules and expectations.

Determination of Pregnancy

On admission, a youth who claims to be pregnant must be treated as such until a medical examination either confirms or does not confirm pregnancy.

Use of Restraints

Whenever physical or mechanical restraints are used on a pregnant youth during any stage of pregnancy, the restraints must be the least restrictive available. Restraints must also be reasonable under the circumstances, as a last resort to control behavior that could be a danger to self or others.



No waist restraints or ankle restraints may be used at any time during any stage of pregnancy on any youth known to be pregnant.

Health care providers may request JR's mechanical restraints be removed. If a request is made, restraints must be removed immediately.

Labor or in Child Birth

While a pregnant youth is in labor, or during childbirth, no restraints of any kind may be used. However, the treating physician may request the use of hospital restraints for the medical safety of the patient.

JR staff may be present in the room during routine medical checkups, supervising consistent with custody requirements and considering reasonable privacy of the youth.

Staff may be present in the exam or delivery room if the treating medical provider asks for their presence when the youth is in labor and while she is being attended to by the medical provider. During delivery, the support staff must be female, unless there are exigent circumstances.





Third Trimester and Postpartum

While a pregnant youth is in the third trimester of pregnancy, or during postpartum recovery, she will not be placed in restraints of any kind during transportation unless the use of wrist restraint is necessary due to extraordinary circumstances.

When transporting a pregnant or post-partum youth, the person scheduling the transport will assign two staff escorts, at least one of whom must be female.

Extraordinary Circumstances

Extraordinary circumstances exist when restraints are necessary to prevent a pregnant youth from escaping, or from injuring herself or others, including medical providers or JR staff.

Supervising staff may determine the extraordinary circumstances with approval from an appointing authority or designee. Any resulting use of restraints must be documented in an Incident Report in the JR ACT system.

Definition of Terms

Labor means the period of time before a birth when contractions are of sufficient frequency, intensity and duration to bring about effacement and progressive dilation of the cervix.

Physical restraint means the use of any bodily force or physical intervention to control or limit a pregnant youth's freedom of movement in a way that does not involve a mechanical restraint.

Physical restraint does not include momentary periods of minimal physical restriction by direct person-to-person contact, with the aid of a mechanical restraint, accomplished with limited force and designed to:

- a) Prevent a pregnant youth from completing an act that would result in potential bodily harm to self or others or damage property;
- b) Remove a disruptive pregnant youth who is unwilling to leave the area voluntarily; or
- c) Guide a pregnant youth from one location to another.

Restraints are anything used to control the movement of a person's body or limbs, including physical restraints or mechanical devices such as metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers or batons.

Postpartum recovery means (a) the entire period in the hospital, birthing center or clinic after giving birth, and (b) an additional time period a treating physician determines is necessary for healing after the youth leaves the hospital, birthing center or clinic.

Transportation means the movement, by any means, of a pregnant JR youth from one location to another and includes escorting the pregnant youth on the grounds of a JR facility.

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