HOUSE DOCKET, NO. 825 FILED ON: 1/13/2025

HOUSE . . . . . No. 2703

The Commonwealth of Massachusetts

PRESENTED BY:

Priscila S. Sousa

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure compliance with the anti-shackling law for pregnant incarcerated women.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Priscila S. Sousa	*6th Middlesex*	*1/13/2025*
Sally P. Kerans	*13th Essex*	*1/22/2025*
Mindy Domb	*3rd Hampshire*	*1/22/2025*
Christine P. Barber	*34th Middlesex*	*3/7/2025*
Lindsay N. Sabadosa	*1st Hampshire*	*6/25/2025*

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HOUSE . . . . . No. 2703

By Representative Sousa of Framingham, a petition (accompanied by bill, House, No. 2703) of Priscila S. Sousa and others for legislation to further amend the anti-shackling statute for incarcerated pregnant women. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2350* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act to ensure compliance with the anti-shackling law for pregnant incarcerated women.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (b) of section 118 of chapter 127 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following paragraph:-

For the purposes of this section, "postpartum recovery" shall mean the time period that occurs immediately following childbirth up to a minimum of 6 weeks, or longer as determined by a physician.

SECTION 2. Said section 118 of chapter 127, as so appearing, is hereby further amended by striking out the words "post-delivery recuperation" in lines 45 and 62, in each instance, and inserting in place thereof the following words:- "postpartum recovery".

SECTION 3. Said section 118 of chapter 127, as so appearing, is hereby further amended by inserting, in line 46, after the word “physician” the following words:- “or emergency medical personnel”.

SECTION 4. Said section 118 of chapter 127, as so appearing, is hereby further amended by inserting, in line 72, after the word “inmate” the following words:- “under any circumstances or in any setting”

SECTION 5. Said section 118 of chapter 127, as so appearing, is hereby further amended by inserting, in line 78, after the word “superintendent” the following words:- “of a state correctional facility or administrator of a county facility.”

SECTION 6. Said section 118 of chapter 127, as so appearing, is hereby further amended by adding the following 3 paragraphs:-

The commissioner of correction and administrator of each county correctional facility shall require annual training of staff members who transport or supervise female prisoners as to the provisions of this section.

Any time restraints are used on a pregnant or postpartum inmate, the superintendent of a state correctional facility or administrator of a county correctional facility shall submit a report within 48 hours to the secretary of public safety and security, which shall include the date, time, duration, location and the rationale for the use of restraints, provided, however, that such reports shall not contain individually identifying information.

The secretary of public safety shall submit to the legislature a public report detailing compliance with this section, including all incidents involving use of restraints which shall be

filed no later than July 1 of each year with the clerks of the senate and house of representatives, the chairs of the joint committee on public safety and homeland security and the chairs of the joint committee on the judiciary.