



*State of North Carolina
Department of Public Safety
Prisons*

Chapter: F
Section: .1500
Title: **Use of Force**
Issue Date: 12/01/21
Supersedes: 08/30/18
Expiration: Policy Revision Publication

INTERIM POLICY AND PROCEDURE

The purpose of this interim policy is to make a change to a policy prior to the annual review date. The interim policy will be incorporated into the actual policy during the next annual review. All interim policies shall be updated no more than six months past the annual review date.

NEW LANGUAGE

.1504

(h) Pregnant Offenders:

- (1) Except as otherwise provided in this subsection, NCDPS Prisons shall not apply restraints to an offender with a clinical diagnosis of pregnancy, during labor and delivery, and during the postpartum recovery period. The Associate Warden for Custody will be notified anytime an offender is transported externally for delivery.
- (2) An offender in the postpartum recovery period may only be restrained if a correctional facility employee makes an individualized determination that an important circumstance exists. In this case, only wrist handcuffs held in front of the offender's body may be used when she is ambulatory. The correctional facility employee ordering use of restraints on any offender while in the postpartum recovery period shall submit a written report to the warden or designee within five days following the use of restraints. The report shall contain the justification for restraining the offender during postpartum recovery.
- (3) Nothing in this subsection shall prohibit the use of handcuffs or wrist restraints held in front of the offender's body when in transport outside of the correction facility, except that these restraints shall not be used in transport when the offender is in labor or is suspected to be in labor.
- (4) Nothing in this subsection shall prohibit the use of medical restraints by a licensed health care professional to ensure medical safety of a pregnant offender.

SUMMARY:

- .1504 (h) has been amended to comply with NCGS 148-25.2 and House Bill 608.

FILING:

This Interim Policy will be filed in the Power DMS system and on the Prisons web page along with the original policy.

RESPONSIBILITIES:

The Director of Operations is responsible for ensuring the content of this interim policy and procedure is included in a revised policy and updated through the annual review process.



Commissioner of Prisons

December 1, 2021

Date

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