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May 14, 2019

Karen L. Smith, MD, MPH
Director and State Public Health Officer
California Department of Public Health
1615 Capitol Avenue
PO Box 997377, MS 0500
Sacramento, California 95899-7377

Re: AB 732 (Bonta): prisons: incarcerated pregnant persons

Dear Dr. Smith:

The California Conference of Local Health Officers (CCLHO) voted at the CCLHO Board meeting on May 1, 2019 to take a Support recommendation on AB 732 (Bonta), a bill that would require an inmate of a county jail or the state prison who is identified as possibly pregnant during an intake health examination to be scheduled for laboratory work to verify pregnancy within 3 business days of arrival at the jail or prison. The bill would require an incarcerated person who is confirmed to be pregnant to be scheduled for an obstetrics examination within 7 days. The bill would require incarcerated pregnant persons to be scheduled for prenatal care visits, as specified.

CCLHO agrees with the bill's author that states, "Our criminal justice system does not sufficiently consider or address the particular circumstances of pregnant people. A review of policies and practices of California's county jails revealed that pregnant inmates do not receive adequate care during and after pregnancy. While institutions of incarceration should be meeting all the health needs of people behind bars, reproductive and health care needs are often unique and time-sensitive." This bill would help ensure that county jails and state prisons have dignified reproductive healthcare conditions for pregnant inmates before, during, and after birth. AB 732 would require county jails and state prisons to ensure pregnant inmates are scheduled for prenatal visits, referred to social services, given access to community based programs, and provided with postpartum examinations. This bill would also prohibit the shackling, restraining, and solitary confinement of pregnant inmates.

Incarcerated pregnant individuals do not receive adequate care during pregnancy, labor and delivery, and during the postpartum period. This bill spells out in detail the standard of care for pregnant and postpartum individuals, and their infants, and how it should be applied to this extremely vulnerable population. This is a very upstream approach to the newborn, family and community, and a preventive approach to address and perhaps mitigate ACE's. For these reasons, CCLHO recommends a Support position on AB 732.

CCLHO was established in statute in 1947 to advise the California Department of Health Services (now California Department of Public Health), other departments, boards, commissions, and officials of federal, state and local agencies, the Legislature and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

Should you have any questions, please contact me by email at roidham@placer.ca.gov or by phone at (530) 745-3121. Thank you.

Sincerely,

Robert L. Oldham, MD, MSHA
President, California Conference of Local Health Officers