



COLORADO

Department of Corrections

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EXECUTIVE DIRECTOR

SB 21-193 BIRTH OCCURRENCE AND USE OF RESTRAINT ON PREGNANT INMATES ANNUAL REPORT

A REPORT SUBMITTED TO THE
JUDICIARY COMMITTEES OF THE
SENATE AND HOUSE OF REPRESENTATIVES
DUE FEBRUARY 15, 2022, PURSUANT TO SENATE BILL 21-193

PREPARED BY
THE OFFICE OF PLANNING AND ANALYSIS
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INTRODUCTION

In calendar year (CY) 2021, Colorado Revised Statutes (CRS), 17-1-113.7 section 6 (2)(b) was amended through senate bill (SB) 21-193 in CY21 to state:

The correctional facility, private contract prison, or medical facility staff authorizing the use of restraints on a pregnant inmate during labor or delivery of the child shall make a written record of the use of the restraints, which record shall include, at a minimum, the type of restraint used, the circumstances that necessitated the use of the restraint, and the length of time the restraint was used. The staff of the correctional facility or private contract prison shall retain the record for a minimum of five years and shall make the record available for public inspection with individually identifying information redacted from the record unless the inmate who is the subject of the record gives prior written consent for the public release of the record. The written record of the use of restraint shall not constitute a medical record under state or federal law.

This annual report outlines the occurrences of births in custody, as well as the use of restraints on pregnant inmates within the Colorado Department of Corrections (CDOC), pursuant to SB 21-193, which stipulates:

NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), NO LATER THAN FEBRUARY 15, 2022, AND EACH FEBRUARY 15 THEREAFTER, THE WARDEN OF THE PRIVATE CONTRACT PRISON AND THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SUBMIT THE RECORDS CREATED PURSUANT TO THIS SUBSECTION (2)(b) IN THE PRIOR CALENDAR YEAR TO THE JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES. ... BY FEBRUARY 15, 2022, AND BY FEBRUARY 15 EACH YEAR THEREAFTER, REPORT TO THE JUDICIARY COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE NUMBER OF BIRTHS BY PREGNANT PEOPLE WHO ARE IN THE CUSTODY OF THE FACILITY, INCLUDING THE LOCATION OF THE BIRTHS, THAT OCCURRED IN THE PRIOR CALENDAR YEAR.

PREGNANT OFFENDERS

BIRTHS

In CY 2021, nine inmates in the custody of CDOC gave birth. Of these nine births, eight births occurred at Denver Health Medical Center, and one birth occurred at the University of Colorado hospital. All births occurred in the city of Denver.

USE OF RESTRAINTS

In CY 2021, there were zero incidents where restraints were used on a pregnant inmate in the custody of the CDOC. All pregnant inmates are housed at the Denver Women's Correctional Center.

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