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Sheriff

Detention Services Bureau, In-Service Training Unit

DECEMBER 16, 2020

TRAINING BULLETIN

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## Assembly Bill 732 – Incarcerated Pregnant Persons

The purpose of this training bulletin is to alert staff to California [Assembly Bill No. 732](#) which goes into effect on January 1, 2021 and mandates specific requirements for pregnant persons in our custody. Detention Services Bureau (DSB) Policy & Procedure sections below have been updated accordingly, major changes are outlined below and will go into effect December 30, 2020.

### I.45 – Inmate Hospitalization and Guards:

Adds pregnant inmates will be given the maximum level of privacy possible during delivery.

- The deputy guarding an inmate who is in active labor and delivery shall ensure the following:
  1. Remain stationed outside the room but within sight, unless deemed necessary for the safety and security of the inmate, staff and public.
  2. If a deputy presence is needed inside the room, the deputy shall stand in a place that grants as much privacy as possible during active labor and delivery.
  3. A deputy shall leave the room if the medical professional who is currently responsible for the medical care of the pregnant inmate determines it to be necessary.

### I.47 – Inmate Identification Wristbands and Clothing:

Adds pregnant inmates shall wear color-coded clothing consistent with their classification, housing assignment or security concerns. The color-coded clothing shall be marked with "SD JAIL" in red lettering to provide staff with a visual cue that the inmate is pregnant.



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**L.85 – Use of Defensive Devices:**

States, "Deputies shall not use any of the defensive devices listed in this policy section on an inmate known or suspected to be pregnant, or in recovery after delivery."

**L.1 – Laundry Schedule:**

Adds inmates who are pregnant shall wear specific color-coded garments.

**L.11 – Personal Hygiene:**

States female inmates will be provided with sanitary products.

**M.11 – Private Physicians:**

Adds that any inmate may request and receive the services of any physician, nurse practitioner, certified nurse midwife or physician assistant of their choice in order to determine whether they are pregnant. If the inmate is found to be pregnant, they are entitled to receive services provided by the physician, nurse practitioner, certified nurse midwife or physician assistant at their own expense.



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**M.38 – Pregnant Inmates:**

Adds pregnancy tests shall be voluntary; if an inmate does not want a pregnancy test, an "Informed Refusal of Pregnancy Test" form will be completed. A pregnant inmate may elect to have a support person present during labor, childbirth and postpartum recovery while hospitalized in compliance with DSB P&P section P.9. The policy also adds pregnant inmates shall not be tased, pepper sprayed, or exposed to other chemical weapons. Upon determination that the inmate is no longer "in recovery" health staff shall notify sworn staff, a clothing exchange will be performed and the red-striped insert will be removed from the wristband.

**P.9 – Social Visiting:**

Pregnant inmates may elect to have a support person present during labor, childbirth, and during postpartum recovery while hospitalized. The support person may be an approved visitor (in compliance with this policy) or health staff designated by the department to assist with prenatal care, labor, childbirth, lactation, and postpartum care. The approval for the support person shall be made by the watch commander or their designee. If the request for an elected support person is denied, reason for the denial shall be provided in writing to the inmate within 15 working days of receipt of the request.

**Click the link below to access draft updates, the final policies will be published on December 30, 2020.**

**A DSB P&P update training will be released via LMS which will be required for all sworn personnel working in DSB. When it is finalized, a notice will be sent out reminding everyone to complete the LMS training.**

