

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct the Board of Local and Regional Jails to review services provided to inmates during*
3 *pregnancy, pregnancy termination, labor and delivery, and postpartum recovery; report.*

4 [S 1300]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. § 1.** *That the Board of Local and Regional Jails (the Board) shall conduct a review of services*
8 *provided to inmates during pregnancy, pregnancy termination, labor and delivery, and postpartum*
9 *recovery. In conducting such review, the Board shall (i) identify and analyze all obstetric and*
10 *gynecological services and any other services provided by local and regional jails to inmates during*
11 *pregnancy, pregnancy termination, labor and delivery, and postpartum recovery; (ii) compare such*
12 *services to best practices recommended by the American Correctional Association, American Jail*
13 *Association, National Commission on Correctional Health Care, and American College of Obstetricians*
14 *and Gynecologists; and (iii) develop recommendations to ensure that proper services are provided to*
15 *inmates during pregnancy, pregnancy termination, labor and delivery, and postpartum recovery.*

16 **§ 2.** *In the course of such review, the Board shall convene and consult with a stakeholder work*
17 *group composed of the following members: representatives of the Indigent Defense Commission, Legal*
18 *Aid Justice Center, Virginia Sheriffs' Association, and Virginia Association of Regional Jails; at least*
19 *one physician and one mental health professional who provides care to inmates; at least one*
20 *obstetrician, one birth advocate, and one reproductive rights advocate; at least two former inmates who*
21 *were pregnant or gave birth while incarcerated in a local or regional jail; and other interested*
22 *stakeholders. No more than half of the work group members shall be employees of or under contract*
23 *with a local or regional jail.*

24 *The Board shall also, as necessary, consult with other relevant stakeholders and experts, including*
25 *the Department of the Treasury's Division of Risk Management.*

26 **§ 3.** *Any records or information obtained from current or former inmates during such review shall be*
27 *used only for purposes of conducting the review required by this act and shall be confidential and*
28 *exempt from mandatory disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of*
29 *the Code of Virginia). No report or other document generated by the Board or the work group during*
30 *the review shall contain identifying information specific to any current or former inmate, local or*
31 *regional jail, or prior case or complaint.*

32 **§ 4.** *The Board shall report its findings and recommendations to the Secretary of Public Safety and*
33 *Homeland Security and the Chairmen of the Senate Committee on the Judiciary, Senate Committee on*
34 *Rehabilitation and Social Services, House Committee for Courts of Justice, and House Committee on*
35 *Public Safety by July 1, 2022. The Board shall post such report on its website.*

36 **§ 5.** *The Board shall adopt regulations consistent with its findings and recommendations.*