

# Access to Reproductive Health Care in New York's County Jails: When the Power is in the Hands of Local Officials

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**NYCLU**

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# Background

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- Problems with access to reproductive health care reported
- NYCLU commences study
  - Who establishes health care standards, policies & procedures?
  - What are the policies & procedures governing access to such care in NYS jails?
- Findings
- Recommendations
- Advocacy
- Barriers
- Advantages

# Women in New York's County Jails

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- At any given time, 3,000 women are housed in NY's county jail facilities
- Women account for more than 25,000 admissions to NY's county jails each year
- 54 county jails house women throughout the state
- The average daily population of women in county jails ranges from 1-139 (excluding New York City)

# Responsibility for Health Care Standards & Delivery of Services

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- New York State Legislature
- State Commission of Correction
- Individual county sheriffs
- Jail administrators
- Jail medical staff

# Request for information

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- emergency contraception
- access to post-exposure prophylaxis (PEP) in cases where inmates have been sexually assaulted prior to or during incarceration
- treatment of sexually transmitted diseases, including HIV/AIDS
- abortion services
- obstetric and gynecological healthcare
- transportation to abortion service providers or hospital facilities for labor and prenatal care, treatment during labor (for example, are any restraints employed on inmates during labor)
- treatment (including mental health services) for inmates who have miscarried
- the payment of any costs associated with the above

# What we found

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- Patchwork of policies
- Quality of care depends on where women are incarcerated
- Policies developed with male inmates in mind

# Detailed findings

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- 14 had no policies that dealt with women's health care
- None had a written policy on general OB/GYN care for female inmates
- None had any policy or procedure on how to handle the medical needs of women who go into labor
- Forty-six percent had written policies specifically addressing inmates' access to abortion, and only 23 percent provided for unimpeded access to abortion services

# Detailed findings, cont'd

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- 57% had written policies addressing access to prenatal care
- 3 had policies regarding the use of restraints on pregnant women, and only 2 prohibited the practice
- 1 county had a policy on mental health care for women who miscarry; 11 indicated that mental health assessment and treatment were available to any woman with such needs
- 4 had written policies on testing and treatment for sexually transmitted infections (STIs)
- 25% had written policies relating to HIV treatment; and 6 additional facilities had written policies on HIV testing
- 8 had written policies on the provision of post-exposure prophylaxis (PEP) for inmates exposed to HIV

# Conclusions

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- Public health model is necessary
- Benefits of prevention during incarceration
- Ultimate cost-savings
- Need to work with county officials

# Recommendations

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- Routine Reproductive Health Care
- Access to Contraception
- Pregnancy Testing
- Prenatal Care
- Mental Health Care Following Miscarriage, Abortion & Birth
- Use of Restraints
- Timely Transport for Labor and Delivery
- Infant Custody
- Access to Abortion
- Testing, Treatment, & Prevention of STIs, including HIV

# Advocacy

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- Distribution
  - Jail administrators or sheriffs
  - Professional organizations
  - NYS Legislature
  - Governor's Office & State Commission of Correction
- Direct Follow-Up with Individual Counties
- Legislative Advocacy
- National Advocacy

# Barriers

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- Resistance to state control
- Cost & cost-shifting
- Fear of liability
- Lack of understanding of women's health care needs

# Advantages

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- Innovation
- Adoption of higher standards of care
- Ability to serve as a national model
  - E.g., Hampden County, Massachusetts

# For more information

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- Read our report, *Access to Reproductive Health Care in New York State Jails* at:  
<http://www.nyclu.org/node/1677>
- Contact NYCLU's Reproductive Rights Project
  - 125 Broad Street, 19<sup>th</sup> Floor, New York, NY 10004
  - (212) 607-3339
  - <http://www.nyclu.org/issues/rrp>

