

114TH CONGRESS
1ST SESSION

S. 1851

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require States to eliminate the use of restraints on pregnant juveniles in State correction facilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2015

Mr. SCHUMER (for himself and Mr. CORNYN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require States to eliminate the use of restraints on pregnant juveniles in State correction facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Human Rights for
5 Girls Act”.

1 **SEC. 2. PROHIBITION ON USE OF RESTRAINTS.**

2 Section 223(a) of the Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5633(a)) is
4 amended—

5 (1) in paragraph (7)(B)—

6 (A) in clause (iii), by striking “and” at the
7 end;

8 (B) in clause (iv), by adding “and” and
9 the end; and

10 (C) by inserting after clause (iv) the fol-
11 lowing:

12 “(v) not later than 1 year after the
13 date of enactment of the Human Rights
14 for Girls Act, a plan, which shall be imple-
15 mented not later than 2 years after the
16 date of enactment of the Human Rights
17 for Girls Act, to—

18 “(I) eliminate the use of re-
19 straints of known pregnant juveniles
20 housed in secure juvenile detention
21 and correction facilities, during labor,
22 delivery, and post-partum recovery,
23 unless credible, reasonable grounds
24 exist to believe the detainee presents
25 an immediate and serious threat of
26 hurting herself, staff, or others; and

1 “(II) eliminate the use of abdom-
 2 inal restraints, leg and ankle re-
 3 straints, wrist restraints behind the
 4 back, and four-point restraints on
 5 known pregnant juveniles, unless—

6 “(aa) credible, reasonable
 7 grounds exist to believe the de-
 8 tainee presents an immediate and
 9 serious threat of hurting herself,
 10 staff, or others; or

11 “(bb) reasonable grounds
 12 exist to believe the detainee pre-
 13 sents an immediate and credible
 14 risk of escape that cannot be rea-
 15 sonably minimized through any
 16 other method;”;

17 (2) in paragraph (27), by striking “and” at the
 18 end;

19 (3) in paragraph (28), by striking the period at
 20 the end and inserting “; and”; and

21 (4) by adding at the end the following:

22 “(29) describe the policies, procedures, and
 23 training in effect for the staff of juvenile State cor-
 24 rectional facilities to eliminate the use of dangerous

- 1 practices regarding known pregnant juveniles, in-
- 2 cluding unreasonable restraints.”.

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