

Summary of the Dignity for Women Who are Incarcerated Act (SL 2021-143)

Applies to all prison and jail facilities in North Carolina



IncarceratedWomensHealth.org

The Act prohibits the following during pregnancy through six weeks postpartum:

- Use of restraints from the second trimester (14 weeks) through 6 weeks postpartum.*⁺
- Body cavity searches.*[‡]
- Restrictive housing (solitary).*

Additional guidelines during pregnancy through six weeks postpartum:

- Beds must be no more than 3 feet from the floor.
- Sufficient prenatal food and dietary supplements must be provided.
- Prenatal, labor, and delivery care provided at no cost.
- Newborn may remain in the hospital room with the birthing person.*
- Free postpartum nutritional and hygiene products must be provided.

Guidelines which apply to all female incarcerated persons:

- No inspections of undressed females by male employees if a female employee is available within a reasonable amount of time.*
- Free menstrual products must be made available by facility.

Applicable to state prisons only:

- Incarcerated persons with children under the age of 1 year shall be placed within 250 miles of the child to the greatest extent practicable.
- Incarcerated persons held in low- or minimum-security facilities who have a child under the age of 1 shall be allowed contact visits at least twice per week.*

**Exceptions may be made by corrections staff for reasonable safety and security concerns. Written report to warden or jail administrator is required within 5 days documenting instance leading to exception, and a monthly summary of all exceptions must be documented.*

**Restraints (wrist cuffs only) may be used during transport or during postpartum (if there are safety and security concerns); never during labor or suspected labor.*

**Body cavity searches may only be performed by medical personnel.*

See the [full text](#) of SL 2021-143 for more detail on all provisions of the act.