STATE OF NEW YORK

5339

2019-2020 Regular Sessions

IN ASSEMBLY

February 11, 2019

Introduced by M. of A. ROZIC, ABINANTI, AUBRY, BARRETT, BARRON, BICHOTTE, BLAKE, COLTON, CRESPO, DINOWITZ, ENGLEBRIGHT, FAHY, GOTTFRIED, HEVESI, HUNTER, JAFFEE, JOYNER, LUPARDO, MOSLEY, O'DONNELL, PICHARDO, PEOPLES-STOKES, PERRY, QUART, RAIA, L. ROSENTHAL, STECK, STIRPE, WALKER, DE LA ROSA, WEPRIN, HYNDMAN, SIMOTAS, JEAN-PIERRE, SEAWRIGHT -- Multi-Sponsored by -- M. of A. ARROYO, BRAUNSTEIN, COOK, DAVILA, EPSTEIN, GALEF, GLICK, SIMON -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to the segregated confinement of pregnant inmates

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The opening paragraph of subdivision 6 of section 137 of the correction law, as amended by chapter 1 of the laws of 2008, is amended to read as follows:

Except as provided in paragraphs (d) [~~and~~], (e)**, and (g)** of this subdivision, the superintendent of a correctional facility may keep any inmate confined in a cell or room, apart from the accommodations provided for inmates who are participating in programs of the facility, for such period as may be necessary for maintenance of order or discipline, but in any such case the following conditions shall be observed:

§ 2. Subdivision 6 of section 137 of the correction law is amended by adding a new paragraph (g) to read as follows:

(g) Segregated confinement is prohibited for pregnant inmates, inmates who have given birth within the past eight weeks and inmate mothers living with infants in prison nursery programs.

§ 3. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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