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SENATE BILL NO. 845

Offered January 13, 2027

Prefiled October 26, 2026

A BILL to amend and reenact §§ 53.1-40.14 and 53.1-133.010 of the Code of Virginia, relating to reporting requirements of state, regional, and local correctional facilities; pregnant and postpartum inmates.

Patron—Locke

Referred to Committee on Rehabilitation and Social Services

Be it enacted by the General Assembly of Virginia:**1. That §§ 53.1-40.14 and 53.1-133.010 of the Code of Virginia are amended and reenacted as follows:****§ 53.1-40.14. Reporting requirement.**

A. The warden or other official in charge of a state correctional facility that houses women prisoners shall compile a monthly summary of all written reports received pursuant to §§ 53.1-25.1, 53.1-40.12, and 53.1-40.13 and shall submit the summary to the Director each month.

B. The warden or other official in charge of a state correctional facility that houses women prisoners shall compile a monthly summary of all of the following and submit such summary to the Director each month:

1. The number of prisoners known to be pregnant in the facility;
2. *The method of pregnancy identification for each pregnant prisoner, including self-reporting, intake screening, and medical testing;*
3. *The gestational age at the time of pregnancy identification for each pregnant prisoner;*
4. *Each pregnant prisoner's access to prenatal care and the total number of prenatal care encounters for each pregnant prisoner, including (i) the initial pregnancy confirmation visit; (ii) routine prenatal visits; (iii) high-risk or specialty obstetric consultations; (iv) diagnostic services, such as ultrasound or laboratory testing; (v) missed, delayed, or cancelled prenatal appointments attributable to custody status or facility operations;*
5. *Any pregnancy-related complaints and the nature of such complaints;*
6. *The amount of time elapsed between any pregnancy-related complaint and any clinical evaluation in response to such complaint;*
7. *The treatment provided or recommended in response to any pregnancy-related complaint;*
8. *Any instance in which no clinical action was taken in response to any pregnancy-related complaint, as well as the rationale for a lack of clinical action;*
9. *Labor and delivery conditions, including (i) location of delivery; (ii) presence of medical personnel during labor and delivery; (iii) use of restraints on the pregnant prisoner, if applicable; (iv) any transfer to external medical facilities; and (v) emergency interventions during labor or delivery;*
10. *Pregnancy outcome and any associated complications;*
11. The number of prisoners in postpartum recovery in the facility;
12. *Postpartum care and follow-up during custody for each applicable prisoner;*
- ~~3.~~ 13. The number of women prisoners in the facility;
- ~~4.~~ 14. The total number of prisoners in the facility;
- ~~5.~~ 15. The number of deaths of prisoners in the facility;
- ~~6.~~ 16. The number of deaths of prisoners known to be pregnant in the facility; and
- ~~7.~~ 17. The number of deaths of prisoners in postpartum recovery in the facility.

The summary required by this subsection shall also be submitted to the Maternal Mortality Review Team, created pursuant to § 32.1-283.8, and the Chairs of the House and Senate Committees for Courts of Justice.

C. Data collected under subsection B shall not be used for criminal investigation, prosecution, immigration enforcement, or disciplinary action related to pregnancy outcomes. Such data is confidential and exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

§ 53.1-133.010. Reporting requirement.

A. The sheriff in charge of a local correctional facility, or his designee, or the jail superintendent of a regional correctional facility, or his designee, shall compile a quarterly summary of all written reports received pursuant to §§ 53.1-133.07 and 53.1-133.08 and shall submit the summary to the Board each quarter.

B. The sheriff in charge of a local correctional facility, or his designee, or the jail superintendent of a regional correctional facility, or his designee, shall submit the following data to the Compensation Board through the Local Inmate Data System each quarter:

1. The number of prisoners known to be pregnant in the facility;
2. *The method of pregnancy identification for each pregnant prisoner, including self-reporting, intake*

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59 screening, and medical testing;
60 3. The gestational age at the time of pregnancy identification for each pregnant prisoner;
61 4. Each pregnant prisoner's access to prenatal care and the total number of prenatal care encounters for
62 each pregnant prisoner, including (i) the initial pregnancy confirmation visit; (ii) routine prenatal visits; (iii)
63 high-risk or specialty obstetric consultations; (iv) diagnostic services, such as ultrasound or laboratory
64 testing; (v) missed, delayed, or cancelled prenatal appointments attributable to custody status or facility
65 operations;
66 5. Any pregnancy-related complaints and the nature of such complaints;
67 6. The amount of time elapsed between any pregnancy-related complaint and any clinical evaluation in
68 response to such complaint;
69 7. The treatment provided or recommended in response to any pregnancy-related complaint;
70 8. Any instance in which no clinical action was taken in response to any pregnancy-related complaint, as
71 well as the rationale for a lack of clinical action;
72 9. Labor and delivery conditions, including (i) location of delivery; (ii) presence of medical personnel
73 during labor and delivery; (iii) use of restraints on the pregnant prisoner, if applicable; (iv) any transfer to
74 external medical facilities; and (v) emergency interventions during labor or delivery;
75 10. Pregnancy outcome and any associated complications;
76 11. The number of prisoners in postpartum recovery in the facility;
77 12. Postpartum care and follow-up during custody for each applicable prisoner;
78 ~~3.~~ 13. The number of women prisoners in the facility;
79 ~~4.~~ 14. The total number of prisoners in the facility;
80 15. The number of deaths of prisoners in the facility;
81 ~~5.~~ 16. The number of deaths of prisoners known to be pregnant in the facility; and
82 ~~6.~~ 17. The number of deaths of prisoners in postpartum recovery in the facility.
83 Data received pursuant to this subsection shall be shared by the Compensation Board with the Maternal
84 Mortality Review Team, created pursuant to § 32.1-283.8, and the Chairs of the House and Senate
85 Committees for Courts of Justice.
86 C. Data collected under subsection B shall not be used for criminal investigation, prosecution,
87 immigration enforcement, or disciplinary action related to pregnancy outcomes. Such data is confidential
88 and exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).