

**From:** Clare Porter  
**Sent:** Sunday, December 19, 2021 11:52 PM  
**To:** Clerk of the Supreme Court and Court of Appeals <[Clerk@Wlcourts.gov](mailto:Clerk@Wlcourts.gov)>  
**Cc:** Araceli Alonso  
**Subject:** [E] Policy Memo: Shackling pregnant inmates in Wisconsin

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12/19/21

The Honorable Chief Justice Annette Kingsland Ziegler  
Deputy Clerk-Rules, P.O. Box 1688,  
Madison, WI 53701-1688

Dear Chief Justice Annette Kingsland Ziegler,

I am a Senior at the University of Wisconsin and have been fortunate to study the detrimental effects of violating women's health and human rights in the prison system and elsewhere, along with plausible solutions that would better the wellbeing and economy of our community as a whole. I am writing to urge you to prohibit the human rights and health violation of shackling pregnant incarcerated women in the state of Wisconsin.

Wisconsin is one of twenty three states which still allow shackling pregnant prisoners. The shackling of pregnant prisoners poses great risks for the wellbeing and health of the mother and child, putting both lives at risk. On February 15, you, along with the support of your Court, will have the opportunity to overturn this antiquated and racist practice and prohibit the procedure of shackling pregnant inmates. I urge you and the court to vote in favor of banning the shackling procedure.

Shackling pregnant inmates increases the likelihood of falling during pregnancy and causing stillbirth, and limiting a woman's movement while birthing, which can also ultimately lead to dangerous outcomes for the mother and child. This consequential practice disproportionately affects black women, who are at the greatest risk of incarceration and of medical neglect in this country. Shackling is a perpetuation of systemic racism which punishes black women for their right and liberty to reproduce, thus degrading, dehumanizing, and endangering black women who face pregnancy. The prohibition of shackling will be a step forward in progress in honoring the rights of our community, including black women, and save our state on high costs associated with birthing complications and mortality, and social programming.

Existing arguments for the practice of shackling pregnant inmates flatline simply at "because it's always been the procedure". This explanation for such a human and health rights violation is unacceptable. Failing to overturn this practice would not only be negligent of black incarcerated women, but also signal a clear preference for continuing racist and patriarchal practices over progress.

Resolution of this deeply rooted practice and trauma can only begin at the prohibition of procedurally shackling inmates. Shackling inmates is clearly in violation of the Eighth

Amendment of our country's constitution, and will surely be banned in the coming decades with the passage of progress. I urge you to not wait while lives are on the line until progress is thrust upon you, but to take action to save lives now and simultaneously help our economy. Please, vote to finally prohibit shackling in all Wisconsin prisons.

Thank you for your public service.

Respectfully,  
Clare Porter  
Madison, WI