



Justice in Every Borough.

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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

***Emery Celli, Legal Aid File Civil Rights Lawsuit on Behalf of Client  
who was Illegally Shackled During Labor and After the Delivery of  
Her Son***

***Lawsuit Seeks Monetary Damages and Wholesale Policy Reforms***

**(BROOKLYN, NY) – Emery Celli Brinckerhoff & Abady LLP and The Legal Aid Society** filed a civil rights lawsuit on behalf of a 22-year old New York City woman, “Jane Doe,” against the City of New York and several NYPD officers who arrested her when she was more than 40 weeks pregnant, on a minor, later-dismissed charge, and handcuffed and shackled her during labor and after gave birth to her newborn son.

Filed in Brooklyn Federal court, the lawsuit details the NYPD’s barbaric treatment of Jane Doe, who was two days past her due date. Ms. Doe was asleep in her mother’s home when officers knocked on the door to arrest her on a minor charge. After transporting Ms. Doe all over Manhattan and Brooklyn, and keeping her in various holding cells for almost an entire day, NYPD officers finally took Ms. Doe to Kings County Hospital in an ambulance. They handcuffed Ms. Doe to the ambulance gurney on the way to the hospital, even though she was in active labor and in excruciating pain.

At the hospital, the NYPD officers insisted that Ms. Doe remain in physical restraints for the next day and a half, often with one arm and one leg each separately shackled to the hospital bed. Ms. Doe struggled to feed her newborn son with one arm, her other arm handcuffed to the hospital bed. And after her son was transferred to the Neonatal Intensive Care Unit, the NYPD would not let her visit without first shackling her legs together. The NYPD also required Ms. Doe to be shackled when she needed to walk around the hospital to make sure that she did not develop blood clots. All of the charges against Ms. Doe were ultimately dismissed.

Medical experts and correctional experts unanimously agree that pregnant women should not be shackled by law enforcement absent the most extraordinary circumstances. Such extraordinary circumstances are limited to situations where a woman poses a significant risk of injury to herself or others that cannot be addressed by less restrictive means.

In January 2020, and only came after the NYPD was sued in 2018 for another horrific incident wherein officers shackled a pregnant woman in the Bronx during labor and post-partum, the NYPD issued revised Patrol Guide policies limiting the circumstances when restraints should be applied to pregnant women prior to arraignment. Unfortunately, the NYPD's revised policies are vague and inadequate, and will do little to prevent further instances of this barbaric practice.

“The NYPD made me feel less than human,” **Ms. Doe** said. “I was sad and depressed for months after giving birth to my son. I just want these officers to be held accountable so something like this never happens to anyone else.”

“Shackling pregnant people is a dehumanizing and pointless practice that has no place in New York City,” said **Corey Stoughton, head of the Legal Aid Society's Special Litigation Unit**. “As a mother myself, I'm appalled the NYPD continues to fail people giving birth at one of the most important and vulnerable moments in our lives, and outraged at how this practice consistently singles out black and brown women for treatment no one deserves, especially when black and brown families already face startling high maternal mortality rates. Our client is standing up for all us to demand changes to the NYPD's policies to ensure no pregnant person or their child is endangered in this way again.”

“We stand with our client in her fight to compel the NYPD to treat all pregnant people with dignity and humanity,” said **Andrew Jondahl, a lawyer for Ms. Doe at Emery Celli Brinckerhoff & Abady LLP**. “The NYPD not only acted unconstitutionally, they acted without common sense, since our client posed no risk of harm to herself or anyone else. It is shocking that, years after the medical and correctional communities have taken a united stand against the inhumane practice of shackling pregnant women, NYPD officers continue to unnecessarily put pregnant people like our client and their newborn children in harm's way.”

On Friday, Ms. Doe will also deliver a formal letter of complaint to Dr. Mitchell Katz, the President and Chief Executive Officer of New York City Health + Hospitals (“HHC”), and to Sheldon McLeod, the Chief Executive Officer of Kings County Hospital. The letter will recommend several important policy reforms, including training, to ensure pregnant patients receive adequate care.

Jane Doe is represented by Katie Rosenfeld and Andrew K. Jondahl of Emery Celli Brinckerhoff & Abady LLP, and by Anne Oredoko and Anthony Posada of the Legal Aid Society.

[Complaint](#)

[Photo](#)

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>*

*Emery Celli Brinckerhoff & Abady is a litigation boutique in New York City that focuses on civil rights, commercial, criminal and ethics matters. [www.ecbalaw.com](http://www.ecbalaw.com)*