

SUBTITLE 6. MISCELLANEOUS.

9-601. PREGNANT INMATES.

(A) IN GENERAL.

IF A REPRESENTATION IS MADE TO THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY IN THE DIVISION OF CORRECTION THAT AN INMATE IN THE CORRECTIONAL FACILITY IS PREGNANT AND ABOUT TO GIVE BIRTH, THE MANAGING OFFICIAL:

(1) A REASONABLE TIME BEFORE THE ANTICIPATED BIRTH, SHALL MAKE AN INVESTIGATION; AND

(2) IF THE FACTS REQUIRE, SHALL RECOMMEND THROUGH THE DIVISION OF CORRECTION THAT THE GOVERNOR EXERCISE EXECUTIVE CLEMENCY.

(B) AUTHORITY OF GOVERNOR.

WITHOUT NOTICE, THE GOVERNOR MAY:

(1) PAROLE THE INMATE;

(2) COMMUTE THE INMATE'S SENTENCE; OR

(3) SUSPEND THE EXECUTION OF THE INMATE'S SENTENCE FOR A DEFINITE PERIOD OR FROM TIME TO TIME.

(C) REMOVAL FROM CORRECTIONAL FACILITY.

IF THE GOVERNOR SUSPENDS THE EXECUTION OF AN INMATE'S SENTENCE, THE MANAGING OFFICIAL OF THE CORRECTIONAL FACILITY:

(1) A REASONABLE TIME BEFORE THE ANTICIPATED BIRTH, SHALL HAVE THE INMATE TRANSFERRED FROM THE CORRECTIONAL FACILITY TO ANOTHER FACILITY THAT PROVIDES COMFORTABLE ACCOMMODATIONS, MAINTENANCE, AND MEDICAL CARE UNDER SUPERVISION AND SAFEGUARDS THAT THE MANAGING OFFICIAL DETERMINES NECESSARY TO PREVENT THE INMATE'S ESCAPE FROM CUSTODY; AND

(2) SHALL REQUIRE THE INMATE TO BE RETURNED TO THE CORRECTIONAL FACILITY AS SOON AFTER GIVING BIRTH AS THE INMATE'S HEALTH ALLOWS.

(D) PAYMENT OF MEDICAL EXPENSES.

(1) THE EXPENSES OF AN INMATE'S ACCOMMODATION, MAINTENANCE, AND MEDICAL CARE INCURRED AS A RESULT OF THE INMATE'S TRANSFER UNDER SUBSECTION (C)(1) OF THIS SECTION SHALL BE PAID:

(I) BY THE INMATE;

(II) BY RELATIVES OR FRIENDS OF THE INMATE; OR