



July 2025

[Maternal Health and Mortality Rider - SB 1 89 \(R \) Item 3, Pg 644](#)

Background

Prior to two successful pieces of legislation introduced in 2009 that were championed by [Texas Jail Project \(TJP\)](#) and a diverse collective of civil rights and faith groups, there was no data collected on the number of pregnant people incarcerated in Texas county jails.

[HB 3653](#) and [HB 3654](#) paved the way for a [series of legislative efforts](#) over five sessions mandating data collection of the number of pregnant people being booked into county jails, provision of prenatal care, limited ban on shackling during labor and delivery, mandatory OB-GYN care, transport to hospital upon onset of labor, annual reporting on the use of restraints during pregnancy, labor and delivery and post-partum, and mandatory medical and mental health care in the event of an assault.

[Data collected from county jails](#) by the Texas Commission on Jail Standards (TCJS) shows an average of 300-400 monthly bookings of pregnant people across 244 county jails. Despite the promulgation of minimum standards and policies following these legislations, TJP continued to receive complaints of medical neglect, abuse and sub-standard care from women incarcerated pretrial in TX county jails. The following are a handful of examples from nearly 18 years of TJP's case work:

- 1) 33 year old Ruby McPeters was processed into the Hood County Jail on May 25, 2018 for Motion to Revoke POCS PG1 u/1 gm. She was 8 months pregnant at the time. She had been hospitalized two days prior to arrest for dizziness and nausea and diagnosed with pregnancy related high blood pressure. Ruby was an "exact match" on the Continuity of Care Query (CCQ) check for having received mental health services from the state. She was transported to St. Granbury hospital for delivery on June 12, 2018 and was released back to the jail on June 14, 2018, with prescriptions for Ibuprofen, Colace and Ferrous Sulfate. On June 19, 2018, Ruby had a scheduled follow-up appointment and was returned to the facility with no issues noted and a prescription for Acetaminophen.

On June 24, 2018, Ruby fainted and was transported to medical with left side abdominal pain, a temperature of 101.5, blood pressure 80/52 and was very pale when standing up. Ruby was pronounced deceased at the hospital at approximately 1733 hours on June 24, 2018. * The [custody death report](#) filed with the Office of the Attorney General stated her cause of death as *“postpartum clostridium sordellii endometritis and sepsis.”*

- 2) 24 year old [H.S.](#) was pregnant and awaiting competency restoration for a possession of controlled substance < 1 gm charge while being in Harris county jail in 2022 on a \$25,000 bond. She was housed in a single cell in the maternal dorm of the women's jail. As per civilian staff who reported this incident to Texas Jail Project (TJP), H.S gave birth alone in May 2022.

It is unclear how long she was by herself but at some point before she was discovered by jailers, she severed her umbilical cord by biting it. She was transferred to a county hospital under the custody of a sheriff's deputy. According to court paperwork filed the day H.S. gave birth, H.S. was suffering from such severe psychiatric symptoms that she was expected to need up to 12 months of inpatient psychiatric care. Two days later, the Houston Police charged H.S. with “intentionally and knowingly” harming her child—a felony—while the newborn was in the hospital. According to reports from H.S's family, however, the infant, who is now in their care, is unharmed and doing well. An additional bond of \$100,000 accompanied the new charge which necessitated H.S' transfer to the Maximum Security Unit (MSU) forensic wait-list which is considerably longer than the non-MSU wait-list. Jail staff routinely reported to TJP that H.S. *“was running around naked on the mental health floor, drinking out of a toilet and getting beat up by other inmates.”* They further reported that she was not receiving any mental health care. A subsequent referral to Disability Rights Texas was unsuccessful in realizing any material change in HS' condition. She was eventually transferred to the state hospital for competency restoration in the fall of 2024 where she is currently residing.

- 3) 21 year old [Chasity Congious](#), a woman with serious intellectual disabilities and co-occurring mental illness, was pregnant when incarcerated in Tarrant county jail in 2019. At approximately 36 weeks into her pregnancy, Ms. Congious was alone in a single cell where she delivered a baby girl on May 17, 2020. Jail staff discovered the baby in Ms. Congious' pants. The baby died ten days later in the hospital. According to court records, during a routine pregnancy exam, Dr. Melanie Carter reported that Congious "did not respond to questions, would not be able to express her symptoms, and may not recognize when she went into labor." A lawsuit filed by Ms. Congious' guardian against the doctor in charge of her care was dismissed by a judge. But the county settled with the family for \$1.2 million in May of 2024.
- 4) In October of 2017, TY, a 33 year old African American woman who was 12 weeks pregnant, was arrested from her home and booked into Tom Green county jail. At the time of her jail booking, she had a 7 year documented history of receiving services from the Local Mental Health Authority/MHMR. TY was reportedly stable and on a clear path to recovery. On the advice of her probation officer, she turned herself in to custody in order to wait for a bed in a SAFP program. She was assured that a bed would become available within 3-5 days even though she did not qualify for a bed due to her pregnancy. What followed was 5

months of negligence, confusion and chaos. Initially it was unclear why the young woman's mental and physical condition was deteriorating. After a few weeks, it was evident that the jail had completely cut off her psychiatric meds. The family made repeated but unsuccessful attempts to inform the jail about TY's mental health history and the importance of continuing her treatment. In the absence of her medications, she was unable to follow directions and very soon *'got into trouble'* with jail staff.

TY was kept in administrative segregation on and off for the next five months despite complaints of abdominal pain and intermittent vaginal bleeding. TY's visitation privileges were also taken away. Her physical and mental health continued to deteriorate. TJP intervened on behalf of the family and after several complaints to TCJS and outreach to the regional MHMR, it became evident that the jail had no contract for supplementary services with its local LMHA and without an invitation from the jail, they were unable to provide continuity of care to their patient in custody. Alarmed by the situation, TJP wrote directly to the presiding judge and within 24 hours, TY, who was 8 months into her pregnancy by then, was released with no pending charges. Within hours of her release, MHMR representatives visited her at home to restart her services. This case illustrated the alarming ways in which continuity of care for mental health patients can break down. According to TCJS, in the absence of a contract, the LMHA can be invited to intervene if the jail determines an inmate to be in crisis. But in TY's case, jail staff never reached out or responded to the LMHA.

- 5) In 2023, 37 year old [Chiree Harley](#) was incarcerated for six weeks in Comal County jail shortly after discovering that she was pregnant and before she could get prenatal care. Chiree had struggled with substance use in the years prior to her arrest. Jail officials put her in the infirmary, Harley said, but she saw only a jail doctor and was never seen by an OB-GYN, even though she had previous pregnancy complications including losing multiple pregnancies at around 21 weeks. This time Chiree had no idea how far along she was.

Chiree began to leak amniotic fluid and started having contractions on November 1, but jail officials waited nearly two days to take her to a hospital. Harley said officers forced her to sign papers releasing her from jail custody while she was having contractions in the hospital. Harley delivered at 23 weeks; the baby boy died less than a day later in her arms.

Besides anecdotal data collected by advocacy groups like TJP, no data is collected on the pregnant population in county jails besides monthly booking numbers. TCJS, the state regulatory agency, does not require jails to report the number of miscarriages, fetal deaths or maternal mortality. It is also unclear whether the death of Ruby McPeters was ever accounted for in the Texas Maternal Mortality Data for that year. Inquiries to state agencies and legislators on the health committees have been in vain.

Objective of the [Maternal Health and Mortality Rider 89 \(R \) \(Pg 644, Item 3\)](#) drafted by Rep. González in collaboration with TJP, is to measure the impact of pretrial detention in county jails on people who are pregnant or have recently been pregnant.

The Rider mandates TCJS to conduct a 12 month maternal health and mortality study and publish a report no later than Dec 1, 2026.

Parameters for data collection include but are **not limited to:**

- use of restraints
- outcomes of pregnancy
- mental health indicators (CCQ check and [16.22 mental health screening](#)) & care
- substance use history
- standard of prenatal care offered
- Severe Maternal Morbidity (which includes complications during pregnancy, childbirth and one year post-partum) and
- regionality
- maternal mortality as medically defined.

Timeline for Data Collection

We recommend data collection from Sept 2025 until Aug 2026 in order to comply with the Rider's mandate of publishing the report by Dec 2026.

Dataset

237 county jails

*TX Commission on Jail Standards Administrative Review of custody death